# **ENVIRONMENT, PLANNING and AGRICULTURE COMMITTEE**

### of the

#### SUFFOLK COUNTY LEGISLATURE

## **Minutes**

A regular meeting of the Environment, Planning and Agriculture Committee of the Suffolk County Legislature was held in the Clerk's Conference Room of the William H. Rogers Legislature Building, 725 Veterans Memorial Highway, Smithtown, New York on February 2, 2006.

# **MEMBERS PRESENT:**

Leg. Vivian Viloria•Fisher, Chairperson

Leg. Lou D'Amaro, Vice Chairman

Leg. Daniel P. Losquadro

Leg. Edward P. Romaine

Leg. Steven H. Stern

# **ALSO IN ATTENDANCE:**

The Honorable William J. Lindsay, Presiding Officer

George Nolan, Counsel to the Legislature

Ian Barry, Assistant Counsel

Renee Ortiz, Chief Deputy Clerk

Ben Zwirn, Assistant Deputy County Executive

Thomas Isles, Director of Department of Planning

Jim Bagg, Chief Environmental Analyst/Department of Planning

Patricia Zielenski, Department of Real Estate

Lauretta Fischer, Department of Planning

Ginny Suhr, Aide to Chairperson
Lisa Keys, Aide to Leg. Romaine
Deborah Harris, Aide to Leg. Stern
Dr. Lee Koppelman
Roy \\_Bocas\\_
Carrie Meek Gallagher, Planning Commission
Basia Braddish, Assistant County Attorney
Anthony Ceglio, Gabreski Airport
Gail Clyma, Gabreski Airport
Sarah Lansdale, Planning Commission
Roy Fedelman, Planning Commission
Tom William, Cornell Cooperative Extension

Janet Longo, Department of Real Estate

### **MINUTES TAKEN BY:**

Diana Kraus, Court Stenographer

# (THE COMMITTEE COMMENCED AT 2:38 PM)

#### CHAIRPERSON VILORIA • FISHER:

Okay. Thank you everybody for being accommodating. Welcome to the Environmental, Planning and Agriculture Committee. We're not going to stand for the Pledge because there is no flag here.

We do have two guests. One of them is somebody that some of us already know, Sarah Lansdale. Sarah, can you just come •• do you want to sit at the table, please?

#### **MS. LANSDALE:**

Sure. Which side would you like me to ••

# **LEG. LOSQUADRO:**

Probably over here.

### **CHAIRPERSON VILORIA • FISHER:**

Right here in front of the microphone. And Ms. Lansdale is here because of resolution number •• sorry, I'm trying to catch up with myself •• 1138 (to reappoint member of the Suffolk County Planning Commission), which is reappointing her to the County Planning Commission. That's gone very quickly.

# **LEG. LOSQUADRO:**

Yeah.

### **CHAIRPERSON VILORIA • FISHER:**

And you met Legislator Losquadro and myself. He was Chair of the Committee last year when he talked with you. But Legislator Lou D'Amaro is new to our committee. And so, Lou, if you'd like to ask Sarah any questions or if you'd like to make some remarks about how it's been for you at the Planning Commission.

### **LEG. D'AMARO:**

How long have you been on the commission?

# **MS. LANSDALE:**

I don't recall the exact date, but it's been now a few months. It's been at least since late October.

# **LEG. LOSQUADRO:**

Through the Chair, I believe it was •• it was filling an unexpired term.

# **MS. LANSDALE:**

(Indicating yes)

# **LEG. LOSQUADRO:**

So there was not much time left remaining on Ms. Lansdale's term. So it expired at the end of the year.

#### **MS. LANSDALE:**

Right. And in terms of comments, it's been a very exciting position. I feel like it's a great responsibility and I definitely invested time in reviewing all of the applications thoroughly. And it's very interesting to see all of the developments happening through the lense of sustainability, smart growth, some of the tenets that Suffolk County upholds. So it's been a great responsibility. And I feel very honored to be a Planning Commission member.

#### **CHAIRPERSON VILORIA • FISHER:**

And we feel very privileged to have you in the Planning Commission. We know the good work that you've been doing. And Sarah sporting her pin there.

### **LEG. D'AMARO:**

Are you really? Was that today?

### **MS. LANSDALE:**

That was today.

### **LEG. D'AMARO:**

Congratulations.

# **MS. LANSDALE:**

Thank you.

# **LEG. D'AMARO:**

You joined my spouse also today.

# **MS. LANSDALE:**

Well, congratulations.

# **LEG. D'AMARO:**

Thank you. That's why I was late today.

# **CHAIRPERSON VILORIA • FISHER:**

So are there any questions for Ms. Lansdale? Thank you very much. We

won't move to the agenda until the rest of the committee arrives. I know that Legislator Romaine will be coming in.

Those of you who have just joined us thank you for being flexible and coming and joining us here. We didn't want to start the meeting very late. And Vets and Seniors is just beginning. There are only two other legislators coming. So, please feel free to use whatever chairs are empty. Just leave two for the legislators who are coming in. So, nobody should have to stand up. There's plenty of room. Make yourselves comfortable. But I did someone coming in with an easel. Does that mean that there's a presentation?

# **THE AUDIENCE:** \\_Roy Bocas\\_

Not necessarily. It depends on how it goes.

#### CHAIRPERSON VILORIA • FISHER:

Okay. All right. You'll let us know. You'll let us know if you •• however you are a member of the public so I really should ask you to fill out a card and let me know who you are. We do need that information. If the Clerk can give this gentleman •• Ginny. Yes, the Clerk will make cards available to everyone. We are trying to be flexible here but it's leads to a little confusion.

Okay. We have another card. Dr. Koppelman, can you join us, please? Go ahead.

#### **DR. KOPPELMAN:**

I'm here today on behalf of tabled resolution 1026. It refers to the qualifications for members of CEQ. As I understand the resolution, it supports the notion that environmentally knowledgeable people should be those who serve on the CEQ or at least two of them should have proper environmental credentials. I think in general that's a very sound principle. I think I understand the reasons that have engendered the resolution. What I'd like to suggest that in addition to environmental activists, the role of CEQ does require a certain amount of actual solid scientific knowledge in making some of the more complex determinations. I think having representatives of the environmental and historic community makes eminent good sense.

I think, however, the total membership, at least two of them should be people with solid trained credentials to handle the technical work because CEQ is a non-partisan, non-political entity. And most activists whether it's in the social field or in the environmental, have their own organizational agenda, which is fine. And they should have representation. But I think there's also a need when some of these more searching issues come up that require the proper credential background that perhaps specifications should be included; but at least two of the members should have it whether they come from academia and there are a variety of very high quality people; or whether they come from other governmental entities. For example, in the past there are people like the head of the Fire Island National Sea Shore; completely non political, non partisan but extremely well trained in terms of its academic ability as well as experience. And I think that's something that the legislation should give consideration to. One of the responsibilities of CEQ is to advise the Suffolk County Planning Commission. And in that regard ••

### **CHAIRPERSON VILORIA • FISHER:**

Excuse me. Legislator Romaine, there's a seat next to Legislator D'Amaro.

### **LEG. ROMAINE:**

Okay. Thank you.

# **CHAIRPERSON VILORIA • FISHER:**

Because we do want you at the table.

# **LEG. ROMAINE:**

We're a little crowded today.

### CHAIRPERSON VILORIA • FISHER:

Vets and Seniors is over. I'm not going to move everybody.

# **LEG. LOSQUADRO:**

Let's keep going.

### **CHAIRPERSON VILORIA • FISHER:**

We'll just keep going.

Also, those are very good points. And as someone who had been a member of CEQ, as Chair of Parks I had been a voting member of CEQ, I completely agree with you that you do require a degree of technical expertise. It's got people with scientific expertise, land planning, etcetera. And I think that's something we should keep in mind as we interview candidates that come up for CEQ positions.

Is there anyone else who has a question of Dr. Koppelman regarding this legislation? Thank you very much for your input.

We're going to move to the agenda. No, we're not going to move to the agenda because I'm going to wait until Legislator Stern comes in.

#### **LEG. ROMAINE:**

He's eating his lunch.

### **LEG. D'AMARO:**

Eating his lunch?

#### CHAIRPERSON VILORIA • FISHER:

For those of you who may be wondering why he's eating his lunch at the beginning of the meeting, the committees ran quite over today. And some legislators were at the horseshoe from 9:30 this morning until now.

### **LEG. ROMAINE:**

That's me and he also.

# **CHAIRPERSON VILORIA • FISHER:**

Including Legislator Romaine and Legislator D'Amaro.

### **LEG. D'AMARO:**

No, not me. I went to lunch.

### **CHAIRPERSON VILORIA • FISHER:**

Okay. I think I need that chair. As people come up •• I'm sorry. Carrie Meek Gallagher, can you join us, please?

## **MS. GALLAGHER:**

Sure.

#### CHAIRPERSON VILORIA • FISHER:

Ms. Meek Gallagher is here regarding introductory resolution 1087 which is to appoint her as a member of the County Planning Commission. Would you like to make some remarks as a way of introduction? Go ahead.

### **MS. GALLAGHER:**

Oh, sure.

### **CHAIRPERSON VILORIA • FISHER:**

Tell us a little bit about yourself.

### **MS. GALLAGHER:**

Sure. I am currently and for the past three years have been Director of the Long Island index project which I brought some copies for the legislators of the latest 2006 index that was just released last Thursday. So, I have been working on research on a regional level that looks at all aspects of life on Long Island economy, environment, health, education. And I am a resident of Suffolk County; actually a native; grew up here. I graduated Ward Melville High School. Went away, decided to come back.

# **CHAIRPERSON VILORIA • FISHER:**

Yea!

# **LEG. LOSQUADRO:**

It's good that somebody came back.

### **MS. GALLAGHER:**

Came back. Got through college and graduate school. And decided to try to pursue a career in making Long Island a better place for the future. So I

see joining the Suffolk County Planning Commission as just another opportunity for me to try to make a contribution of my skills in bettering the future of the county where I grew up and where I hope to live for a good part of my life.

### **CHAIRPERSON VILORIA • FISHER:**

Thank you. Are there any questions?

# **LEG. LOSQUADRO:**

Sure. Where do you currently reside?

### **MS. GALLAGHER:**

Nesconset.

### **CHAIRPERSON VILORIA • FISHER:**

Any other questions?

### **LEG. D'AMARO:**

Just curious on your agenda, if you will, that you feel you'll be bringing to the Planning Commission what •• do you have any goals, things you'd like to achieve on the Commission?

### **MS. GALLAGHER:**

Well, in the big scheme of things I guess what I'm looking to do is just be able to contribute, be more effective, have an impact on the county where I reside, be able to get some more in depth knowledge of how the Commission operates and what kinds of decisions are made that affect the day to day lives of people in Suffolk County.

### **LEG. D'AMARO:**

Do you feel that the Commission has been deficient in any particular area?

#### CHAIRPERSON VILORIA • FISHER:

Excuse me a minute. You're very soft spoken. The mike's aren't as sensitive as they are in the auditorium.

### **LEG. D'AMARO:**

Do you feel that the Commission has been deficient in any particular area that you'd like to strengthen?

### **MS. GALLAGHER:**

I don't know that I'd say it's been deficient. But one of the things I think is important to keep in mind looking •• really looking at the regional significance of any of the projects that come for review before the Commission and making sure that the value that the Commission is adding is kind of that big picture perspective as opposed to the skills that the local town and even the County Planning Department can add.

### **LEG. D'AMARO:**

Okay.

### **CHAIRPERSON VILORIA • FISHER:**

Legislator Romaine.

### **LEG. ROMAINE:**

I just have a point of information. I'm looking at the composition of the Planning Commission. There's a representative from each of the ten towns, one from the small village, one from •• there's a larger village of three members at large. What category does Ms. Gallagher fall into? Meek Gallagher, excuse me.

# **LEG. LOSQUADRO:**

If I may?

## **CHAIRPERSON VILORIA • FISHER:**

Yes.

# **LEG. D'AMARO:**

I believe •• I saw the resolution. I think it's the village under 5,000; is that correct?

# **LEG. ROMAINE:**

No, it's Nesconset.

#### THE AUDIENCE:

It's Smithtown.

### **MS. GALLAGHER:**

Yeah, that was my understanding. It was through the Town of Smithtown.

### **LEG. ROMAINE:**

Could I ask another technical question?

### **CHAIRPERSON VILORIA • FISHER:**

Sure, go right ahead.

### **LEG. ROMAINE:**

Do we have any support that has been expressed by the Smithtown Town Board or the Smithtown Town Supervisor for this appointment?

### **CHAIRPERSON VILORIA • FISHER:**

There's not a requirement to have any kind of resolution from the Town Board on this. It's been a courtesy in the past to confer with the Town, but it's not a requirement.

### **LEG. ROMAINE:**

Has the Town been conferred with in this •• can someone from •• I guess ••

### **CHAIRPERSON VILORIA • FISHER:**

From the Executive's Office?

### **LEG. ROMAINE:**

From the Executive's Office answer that question. Has the Town been conferred with? Has the Supervisor of the Town Board been contacted and conferred with?

# **MR. DAHROUG:**

I don't have that information but I think Ben Zwirn does.

### **CHAIRPERSON VILORIA • FISHER:**

Okay, we'll wait until Ben comes. We're not going to vote on this yet. I just wanted to have Ms. Meek Gallagher come up.

#### **LEG. ROMAINE:**

Suffice it to say I feel the candidate is eminently qualified, but it would be in my personal opinion a breach of etiquette and political sense if the appointment was being made without •• since the person is going to represent the Town of Smithtown on the Planning Board without the Town •• Supervisor of the Town Board having an opportunity to be aware of this. It's just a personal opinion.

#### CHAIRPERSON VILORIA • FISHER:

Okay. Thank you. Thank you, Carrie.

We have more cards. Gail Clyma. I do apologize for the tight quarters. We anticipated Veterans to really be a long meeting. And as it turned out, they were very expeditious in their deliberations.

Are there any more ••

### **LEG. ROMAINE:**

•• yellow cards?

### **MS. CLYMA:**

Good afternoon.

### **CHAIRPERSON VILORIA • FISHER:**

If you can just speak into the mike.

### MS. CLYMA:

I just discovered I left my carefully prepared notes homes. So, I'm not totally organized, please forgive me.

# **CHAIRPERSON VILORIA • FISHER:**

Well, don't you feel like family here?

### MS. CLYMA:

Well, I would have been organized. I'm here to talk about Gabreski Airport. I'm representing the coalition against airport pollution and I'm speaking specifically regarding a negative declaration that was issued by CEQ on their application •• the application of Long Island Jet to expand its operations at Gabreski.

The notes from the CEQ •• the minutes which were not transcripts, but notes from that meeting indicate that this was presented as a quote redevelopment; where it's actually it's a major expansion where they're proposing to increase their gross floor area from something like 13,000 to something like 70 or 80,000. They will be having parking •• they were given hangar space that will accommodate depending on the type of planes; maybe forty airplanes. And there will be another •• there will be space for another 25 to 30 tie•downs.

So there's •• this is not •• this isn't expansion. It's a major expansion. I'm not sure whether the CEQ was aware of the fact that this entire airport is in an aquifer protection overlay district. As such it is designated as a critical environmental area which means that toxic substances need to be restricted if not prohibited.

One of the first •• the very first item under the definition of toxic substance is petroleum. And this operation is proposing to store 38,000 gallons of airplane fuel at this location and dig up one or more existing tanks, all of which seems to me to be activity that requires very careful environmental review. If you think aviation operations at Gabreski are not a threat to our ground water, you should be aware of the fact there are already about a dozen known contamination sites at this airport. The majority of them ••

### **LEG. D'AMARO:**

What was the cause of those sites; the contamination on those sites?

### MS. CLYMA:

They are varied but they are mostly different kinds of air plane fuel and ••

### **LEG. D'AMARO:**

Spills or just the day to day operations of the airport?

### **MS. CLYMA:**

Oh, the tanks leak, they spill their fueling.

### **LEG. D'AMARO:**

Are they underground tanks?

### MS. CLYMA:

You know, I don't really know the history of all of them. I've just seen some of the reports that have been issued by the State Department of Environmental Conservation and so on. There is some of them that are •• that are not fuel•related. But are the results of behavior that should have not have occurred like somebody dumping a bunch of transformers somewhere and PCB's were leaching into the ground water. Another aspect

### **CHAIRPERSON VILORIA • FISHER:**

It is only three minutes. Is that an answer to Legislator D'Amaro's question?

# MS. CLYMA:

Yes.

# **LEG. D'AMARO:**

Yes, it was.

# **CHAIRPERSON VILORIA • FISHER:**

Okay.

# **MS. CLYMA:**

I hope.

# **LEG. LOSQUADRO:**

And I just have a brief comment.

### MS. CLYMA:

Can I just say ••

# **LEG. LOSQUADRO:**

And I just have a brief comment.

### **CHAIRPERSON VILORIA • FISHER:**

Well, just let her finish the answer to the question.

# **LEG. LOSQUADRO:**

Sure.

### MS. CLYMA:

Can I have another minute or two?

### **CHAIRPERSON VILORIA • FISHER:**

Just if you have a brief answer? Because you only have three minutes to ••

### **MS. CLYMA:**

I think I answered his question.

# **CHAIRPERSON VILORIA • FISHER:**

Okay.

# **MS. CLYMA:**

I wasn't aware there was a clock running.

# **CHAIRPERSON VILORIA • FISHER:**

Okay. I'm sorry. Legislator Romaine.

# **LEG. ROMAINE:**

Yes. This airport is surrounded by the dwarf pines.

# MS. CLYMA:

Right.

### **LEG. ROMAINE:**

Is that not correct?

# **MS. CLYMA:**

Yes.

#### **LEG. ROMAINE:**

Perhaps one of the most sensitive and critical areas that we have on Long Island. I just will tell you for the committee's edification that I spoke with Legislator Schneiderman whose district this is in. He has grave concerns that this was given a negative declaration. He felt •• and I just want to convey that to the committee since it is in his district, he feel that this should have a full blown environmental impact statement. It should not have been a negative dec. And he just asked the committee to keep that in mind that that's what he's hoping to achieve so that this site can be examined carefully and before any •• and when we're talking •• you mentioned going from 13,000 feet to about 70 or 80,000 square feet, before any expansion of this type that would take place, which would quadruple as a minimum the type of activity there, that we think very carefully that this may have an impact on the environment and it should be fully examined. And I just want to convey that message from Legislator Schneiderman.

### CHAIRPERSON VILORIA • FISHER:

Legislator Losquadro.

# **LEG. LOSQUADRO:**

I was just going to inquire, some of the questions have already been answered but you discussed some storage tanks. And I was just wondering •• and I think it is something that will have to be looked into because I know Legislator Schneiderman wants it to be. Are some of the tanks •• obviously existing tanks are going to be an older technology; perhaps steel, whereas, you know, the newer tanks have composite materials, be fiberglass or other materials, especially where the aviation field are concerned, there have been great strides made in the area of safety. So I would like to see what some of the plans are for how that fuel would be stored additionally. I know you

commented briefly you said you weren't sure about some of the particulars on that, but I think that sort of bears out what Legislator Schneiderman was asking for which was a more comprehensive review of this.

#### MS. CLYMA:

Exactly. I would suggest that that's exactly why •• what you would learn if you have a full blown environmental impact study. And I would like to also mention that aviation fuel is not the only threat out there. Somebody described to me recently how they service an aircraft. They take it off the plane, they take it into a work area and they hose it down with volatile organic compounds. I cannot remember the multi•syllable name of the particular substance. It's a wonderful solvent, cleans all the grease. Then they can go to work on the thing. But where does all that stuff go? The application ••

### **LEG. D'AMARO:**

Well, I would assume it's disposed of in compliance with State DEC regulations.

# **CHAIRPERSON VILORIA • FISHER:**

Well, we also have Suffolk County health requirements which storage of any kind of fuel storage has to be within, as you know, you have worked with this, we have Suffolk County health requirements for storage of materials such as this. We have Suffolk County health requirements for the disposal of any of these materials. And at Gabreski Airport we would have all of the regulatory and certainly very close scrutiny of the county ••

# **LEG. LOSQUADRO:**

I mean I know I can speak for how auto body shops are regulated having a background in that field. And I know that any mechanical work site, you have to keep logs of the chemicals that you were using. You're obviously going to lose a small amount to evaporation, but you have to clock in what's coming in and what's going out. You have to •• if you have catch basins, they have to have filters. And the DEC or the Health Department will do dip tests in any catch basins where you could possibly have run•offs.

So, again, I would just like to make sure that all of these safe guards would

be put in place and are put in place especially for a facility of this size to make sure. These type of operations can be done in an environmentally neutral manner. It just takes some proper planning to put the safe guards in place. And I would just want to make sure that that would be done especially since it is in an area so sensitive as the Pine Barrens.

#### MS. CLYMA:

I would just note that the environmental assessment form that was submitted by Long Island Jet, there's a question about toxic substances. And they say it doesn't apply to them. So this is possibly one of the reasons that CEQ is neg dec'ing this. They also said there's a question about noise above ••

### LEG. D'AMARO:

Well, do you have information that that is an incorrect answer?

### **MS. CLYMA:**

The law that established the act for protection overlay district spells out what is a toxic substance. Petroleum is a toxic substance under that law. They are proposing to store 38,000 gallons •• and that's just fuel. That's not talking about the substances they use in the course of aircraft maintenance.

### **CHAIRPERSON VILORIA • FISHER:**

Rather than continue the debate, we do have another speaker. And then when we move to the agenda, we'll discuss all of the specifics of this.

### **MS. CLYMA:**

So there will more discussion on this? I should stick around?

### **CHAIRPERSON VILORIA • FISHER:**

Well, we won't be asking you any more questions ••

# **MS. CLYMA:**

Yeah, I know.

# **CHAIRPERSON VILORIA • FISHER:**

But certainly it's on our agenda.

### MS. CLYMA:

Okay.

### **CHAIRPERSON VILORIA • FISHER:**

Anthony Ceglio.

#### **MR. CEGLIO:**

Hi. Tony Ceglio, Airport Manager of Gabreski Airport.

### CHAIRPERSON VILORIA • FISHER:

Can you please come over here, Tony?

### **MR. CEGLIO:**

Sure. I can't speak for CEQ's decision. I just want to describe the operation and the proposed operation of Long Island Jet Center. Just to get back to the fuel, the currently stored 17,000 •• approximately 17,000 gallons of fuel right now, 12,000 gallons of jet A fuel, 5,000 galls of aviation gas that's used for small single engine airplanes, for those of you who that don't know what the jet center does, they're an aviation service company sort of like a gas station that provides services to airplanes that come into Gabreski right now.

They do propose to build several hangars at the airport; three 15,000 square foot hangars and seven T hangars, which will certainly not be able to house forty airplanes. The larger hangars may house one to two larger airplanes. The T hangars •• the seven T hangers will house seven small airplanes.

They do intend to relocate their current fuel farm. It's above ground storage tanks. The new storage tanks would have to meet the requirements of Article 12 and Article 7 of the Suffolk County Health Codes as you all know. The environmental assessments submitted for the project also did discuss relocating or removing an underground fuel storage tank. Fuel storage tank in question was a heating oil tank used to heat the building, which has since been converted to natural gas.

Long Island Jet Center currently services about 60% of the airplanes that come into Gabreski airport. They •• the airport is generally a seasonal facility, most of the activity happening in the summertime. Their aircraft ramp space especially in the summertime is inadequate. They park air planes so tight that sometimes they actually use one of our taxiways. They frequently ask permission to use some of the other parking areas on the north side of the airport which is a situation which they cross multiple runways and taxiways to get there by towing the airplanes. Their expansion is proposed to keep all the airplanes in one area and make it a safer operation.

They currently •• I don't know if I mentioned this before, they currently occupy about six acres of land. They're looking for an additional four acres of property to build these hangars and additional ramp space.

The one other thing I want to bring up, the proposal that they have in place right now is something that has been on the books •• in the planning books for quite a while. It was included in the 1980 Master Plan for Suffolk County Airport. It was also included in the 1990 update that the county did for the Master Plan showing the exact •• almost the exact proposal that we're looking at now.

#### CHAIRPERSON VILORIA • FISHER:

Okay. Thank you, Tony. That is mentioned in the legislation that this was part of a 1990 update on the Master Plan.

With regard to some of the issues that came up when the earlier speaker spoke, it's subject to all of the same regulatory agencies •• environmental guidelines and all of our Health Department regulations as any other facility that would store or use or fuel vehicles.

### **MR. CEGLIO:**

That's correct.

## **CHAIRPERSON VILORIA • FISHER:**

Okay. Legislator Romaine.

### **LEG. ROMAINE:**

One question. Have you had a discussion ••

### **CHAIRPERSON VILORIA • FISHER:**

Please speak very loudly ••

### **LEG. ROMAINE:**

Yes. Have you had a discussion about your proposal with Legislator Schneiderman? And if so, could you elaborate on that briefly?

### MR. CEGLIO:

He is concerned about the neg dec that came about from CEQ. He also is a member •• the Chairman of the Airport Screening Committee that was involved in approving this decision I believe to •• for the expansion.

### **LEG. ROMAINE:**

So, let me ••

### **CHAIRPERSON VILORIA • FISHER:**

I'm sorry.

# LEG. ROMAINE:

So let me just •• he approved as a member of the Lease Screening Committee, he was a favorable vote for this project?

# **MR. CEGLIO:**

That's my understanding. I can't ••

# **MS. CLYMA:**

No, I'm sorry. He wasn't •• he wasn't a member of the committee.

# **CHAIRPERSON VILORIA • FISHER:**

Anybody who has not been recognized, please don't call out because it makes it very difficult.

# **MR. CEGLIO:**

So I correct myself. No, he wasn't in September of 2003 when it was approved.

### **LEG. ROMAINE:**

September 2003, I believe ••

# **LEG. LOSQUADRO:**

No, he was •• Legislator Schneiderman was not a member of this body in September of 2003.

### **LEG. ROMAINE:**

No. That was Legislator Guldi if I'm not mistaken ••

# **LEG. LOSQUADRO:**

Yes.

### **LEG. ROMAINE:**

•• who had a strong and compelling interest in the airport.

### **CHAIRPERSON VILORIA • FISHER:**

He was the Legislator from that district.

# **LEG. ROMAINE:**

I don't know how else I would have put that.

# **LEG. D'AMARO:**

That was very well put.

# **LEG. ROMAINE:**

Yes. So, having said, so he was not on the Lease Screening Committee that approved this in 2003?

# **MR. CEGLIO:**

Apparently not.

# **LEG. ROMAINE:**

Here it is, 2006, two and a half years later. What took so long to get it

through CEQ? Do you have •• do you know of anything that you can tell us that that •• what was this delayed for or what was the reason in the delay?

### **MR. CEGLIO:**

Basis Braddish is the counsel that we used in counsel to the Airport Screening Committee. Maybe she can explain it in little more detail.

### **CHAIRPERSON VILORIA • FISHER:**

But not from there.

#### **MR. CEGLIO:**

There has been some ongoing litigation over the last couple of years which would have delayed it.

### **LEG. ROMAINE:**

Are you at liberty to say what that litigation involved?

### **MR. CEGLIO:**

I may not be.

### **LEG. ROMAINE:**

You're not at liberty to say?

# **LEG. LOSQUADRO:**

Perhaps Counsel's office •• County Attorney's Office could comment on that?

### **CHAIRPERSON VILORIA • FISHER:**

Well, I'm going to call her up. I did want her to answer from that point.

# **LEG. ROMAINE:**

Is that litigation ongoing?

### **MS. BRADDISH:**

Yes.

# **CHAIRPERSON VILORIA • FISHER:**

Legislator Romaine, if you could just try to limit your questions to those answers that he could give you. And when we have the appropriate person, then we'll •• yes. Okay? Thank you very much.

### **LEG. D'AMARO:**

Can I just ask one question?

#### CHAIRPERSON VILORIA • FISHER:

Oh, I'm sorry.

### **LEG. D'AMARO:**

I apologize. You're the airport manager?

### **MR. CEGLIO:**

Correct.

### **LEG. D'AMARO:**

Okay. What we're being asked to do here today is to adopt the finding that the expansion of Long Island Jet Center will not have a significant adverse impact on the environment and what's the reasons for that conclusion in this legislation that we're reviewing. Do you have any information to the contrary or in your opinion do you feel that the expansion as proposed and as you understand it will have a significant impact? And if so, how?

### **MR. CEGLIO:**

It's my opinion, again, I can't speak for CEQ, but that it will not have a significant impact because they are not going to as far as I know increase the number of flights. The number of flights will increase whether Long Island Jet Center does this or not.

### **LEG. D'AMARO:**

Okay. But beyond flights the expansion calls for larger buildings, storage facility fuel. Considering all those factors in your opinion maybe even as a lay opinion, but you are on site; you do manage the airport?

### **MR. CEGLIO:**

Right. I will address the fuel. Long Island Jet Center pumps about 600,000

gallons of fuel a year, let's say. The current tanks can't handle more than 12,000 gallons of jet A, let's say. If they increase their fuel up to a 20,000 gallon jet A tank, what it means is they'll have less deliveries going over the roads to that place. They're still going to pump the same amount of fuel because the airplanes are coming in and using them. So, environmentally as far as the fuels goes, it's just going to be less number of deliveries.

### **LEG. D'AMARO:**

Has there ever been an incident in delivering fuel or fueling an aircraft?

### **MR. CEGLIO:**

I've been there for the last year•and•a•half, there's been no incidents. The information that was given earlier on the environmental sites currently on the airport happened many years ago. A lot of them had to do with the Air Force, when it was an Air Force base prior to 1970.

### **LEG. D'AMARO:**

Is the fueling limited to jets only?

### **MR. CEGLIO:**

No, no. It's ••

# **LEG. D'AMARO:**

Private aircraft.

# **MR. CEGLIO:**

Yes. Jet A fuel and this product called \\_ab gas\\_.

# **LEG. D'AMARO:**

Is it pilot serviced or is it attended?

# MR. CEGLIO:

Currently it's attendants. There is no self•fueling.

# **LEG. D'AMARO:**

There's no self•fueling at the facility? At the jet center?

#### **MR. CEGLIO:**

Correct.

### **LEG. D'AMARO:**

For private aircraft.

### **MR. CEGLIO:**

Correct.

### **LEG. D'AMARO:**

No pay•at•the•pump?

### **MR. CEGLIO:**

No. Not that there wouldn't be. MacArthur there's a situation like that. At a lot of airports •• Farmingdale, also. Yes. So it's not to say the jet center will not propose something like this. I don't know what their plans are.

### **CHAIRPERSON VILORIA • FISHER:**

So then what you're saying, then, is actually it would be positive environmental impact; if you don't have as many deliveries, you don't have as much •• an opportunities for spillage. So ••

### **MR. CEGLIO:**

You can look at it that way.

# **CHAIRPERSON VILORIA • FISHER:**

Okay.

# **LEG. D'AMARO:**

But the overall thrust of what's proposed and under review from the environmental standpoint is the expansion of the jet center operation with respect to fueling and also with respect to the size of the hangar and the number of hangars?

# **MR. CEGLIO:**

Correct.

### **LEG. D'AMARO:**

Now, I think it was mentioned there were 17 T hangars proposed?

### **MR. CEGLIO:**

Seven.

### **LEG. D'AMARO:**

Seven. Okay. And do you see any significant impact from adding the seven T hangars for the private aircraft?

### **LEG. D'AMARO:**

I would say no. There are currently 100 airplanes based at Gabreski right now. Many of them would like to have a place to •• to store the aircraft especially in the wintertime or bad weather. I think for seven of those aircraft, probably going to come from the existing base aircraft number.

### **LEG. D'AMARO:**

From the existing ••

### **MR. CEGLIO:**

There could be aircraft that come from outside the airport but I think initially it's probably going to come from ••

# **LEG. D'AMARO:**

I just had a •• more of a question that goes to environmental concern as a pilot myself. One of the things that private pilots do when they check their fuel and drain the fuel from the airplane it's required by •• by walk around. Often the pilots dump the fuel on the ground. Is there any type of thought given as an airport manager to stopping that practice?

### **MR. CEGLIO:**

It happens all over the country. And, right, if you're a pilot, you know that. I don't think there's any proposals anywhere in the United States to do anything about that. As you know, the drain amount is probably less than an 8th of a cup. Just checking for water.

#### **LEG. D'AMARO:**

Well, three times ••

#### MR. CEGLIO:

Right.

### **LEG. D'AMARO:**

•• times the number of planes that are, you know, doing a walk around ••

### **MR. CEGLIO:**

True.

### **LEG. D'AMARO:**

On a daily basis.

### **MR. CEGLIO:**

And it's dumped on the ramp.

### **LEG. D'AMARO:**

If you're coming into Farmingdale on a busy Saturday, you can be number eight or ten in line to land that air plane. So, there's lots of flights going on. And it always impressed me that, you know, we are so concerned about the environment; and yet here we are dumping fuel on the ground every single time we drain a tank for water. And I'm just curious if you had any thoughts about that?

### **MR. CEGLIO:**

It wouldn't be a bad idea to try to do something about that. But knowing the walk•around procedure you talk about and the three points that you're draining the fuel from, once you get that cup full, where do you go to dump it? You'd have to have some place very close to the ramp or ••

#### LEG. D'AMARO:

Carry a disposable container that when you fill it up, you just discard that?

### **MR. CEGLIO:**

Or a trash can or something like that.

### **LEG. D'AMARO:**

Yeah. It just doesn't seem all that complicated to me.

### **MR. CEGLIO:**

It's something that could be considered.

### **LEG. D'AMARO:**

It's a little off base from what we're talking about here but I think I'd be preempted by the FAA. But thank you. Thank you for the answer.

### **MR. CEGLIO:**

You're welcome.

### **CHAIRPERSON VILORIA • FISHER:**

Thank you, Tony.

### **LEG. LINDSAY:**

Before he goes, Madam Chair, this might have been asked, I apologize for coming in late, but ••

### **CHAIRPERSON VILORIA • FISHER:**

Okay, Legislator Lindsay, we're going to have to pass that mike down a little bit.

### PRESIDING OFFICER LINDSAY:

The fuel depot is •• I know part of the property is in the core Pine Barrens. I'm just inquiring as to the location?

# **MR. CEGLIO:**

It would not be the in Core Pine Barrens area. It's in the compatible growth area.

# PRESIDING OFFICER LINDSAY:

Okay. That's all.

### **CHAIRPERSON VILORIA • FISHER:**

Okay. Thank you. Basia Braddish.

### MS. BRADDISH:

You wanted some background?

#### CHAIRPERSON VILORIA • FISHER:

Right. But we need you to be on the record.

#### **MS. BRADDISH:**

Okay.

### **CHAIRPERSON VILORIA • FISHER:**

And have your name.

#### MS. BRADDISH:

Basia Braddish, County Attorney's office. Just to add one thing to what Tony said, too, is I don't know how many of the Legislators have actually been out to Gabreski; but the site we're talking about is not a new development area. It is actually part of the original base. So, when you walk in, when you drive in, you're looking at Long Island Jet. And the area that they're looking for is really part of the original base area. It's not like it's one of the pristine or undeveloped areas in the airport. So everybody has an understanding that it's •• most of it's paved right now. It's not sand or dwarf pines or anything like that. It's a paved over area.

### **CHAIRPERSON VILORIA • FISHER:**

So, it's not pristine by any ••

### MS. BRADDISH:

By any stretch of the imagination.

### **CHAIRPERSON VILORIA • FISHER:**

Okay.

#### **MS. BRADDISH:**

Pretty much any development there is going to be improvement for anybody who's seen it.

### **CHAIRPERSON VILORIA • FISHER:**

Any questions for Ms. Braddish? Thank you very much.

### **LEG. ROMAINE:**

You have discussed this with Legislator Schneiderman, I assume?

### **CHAIRPERSON VILORIA • FISHER:**

Can you please speak louder?

### **LEG. ROMAINE:**

You have discussed it with Legislator Schneiderman?

### **MS. BRADDISH:**

Yes, yes.

### **LEG. ROMAINE:**

And the fundamental disagreement between your view and his view?

# **MS. BRADDISH:**

Has nothing to do with the time period.

# **LEG. ROMAINE:**

No, no, no. I don't care about the time period. I was just interested in that discussion.

# **MS. BRADDISH:**

I believe at one point •• and I don't want to speak for Legislator Schneiderman •• however, he was very supportive of the project, I believe. And ••

# **LEG. ROMAINE:**

Well, asking for a positive as opposed to a negative declaration does not

mean opposition to the project.

### MS. BRADDISH:

Right.

### **LEG. ROMAINE:**

It simply means that you want the project to have a fuller environmental look at ••

### **MS. BRADDISH:**

Exactly.

### **LEG. ROMAINE:**

Because you feel it may have some significance. So, it's not ••

#### **MS. BRADDISH:**

Right.

### **LEG. ROMAINE:**

We're not voting on whether we oppose this project or we support this project. We're voting do we think this project might have a significant impact on the environment; and if we do, then we shouldn't accept the negative declaration.

### MS. BRADDISH:

Correct.

# **LEG. ROMAINE:**

Which I think is what Legislator Schneiderman has conveyed to me.

# **MS. BRADDISH:**

And I think •• I believe we were actually from the staff perspective surprised that it had actually gone through CEQ because we actually have a number of applications pending. And staff has been working with CEQ to develop sort of guidelines that could be implemented in reviewing all the projects that are actually lining up so that we do have a system. Because as you know historically ••

### **LEG. ROMAINE:**

Would it be fair to say this project kind of leap frogged the system?

### MS. BRADDISH:

Yes. Absolutely.

### **LEG. ROMAINE:**

Okay. And one last point that I'll just make and that's it. While you can't discuss litigation, as the former Clerk of the Supreme Court, I know that all those records are open to the public. And I'm going to avail myself in this case. I'll get the index number from the acting clerk. And I'm going to avail myself of review of that litigation; so we don't have to discuss it here, but I will make that point since it's so convenient to my current office.

### **MS. BRADDISH:**

The Deputy County Attorney is also here prepared, I believe, to discuss the litigation if that's what you're considering.

### **LEG. ROMAINE:**

Oh.

# **CHAIRPERSON VILORIA • FISHER:**

When we get to the agenda, we'll talk about it.

# **LEG. ROMAINE:**

Right. Thank you.

# **CHAIRPERSON VILORIA • FISHER:**

Okay. Thank you very much.

# **INTRODUCTORY RESOLUTIONS**

# **CHAIRPERSON VILORIA • FISHER:**

We're going to move to the agenda. What I'm going to do is take make

a motion to take 1087 out of order. That's to appoint member of County Planning Commission, Carrie Meek Gallagher. And I'm going to ask Ben Zwirn to come up for a moment, please. There was a question regarding this appointment.

### **LEG. D'AMARO:**

Was it seconded?

# **LEG. LOSQUADRO:**

I seconded the motion.

#### **CHAIRPERSON VILORIA • FISHER:**

Yes. All in favor? Opposed? I have to finish the motion first.

### **LEG. ROMAINE:**

Is this the motion to approve?

#### CHAIRPERSON VILORIA • FISHER:

To take it out of order.

### **LEG. ROMAINE:**

Oh. Yes.

#### CHAIRPERSON VILORIA • FISHER:

Okay. And Mr. Zwirn, before you arrived there was a concern regarding this •• Ms. Meek Gallagher is a Smithtown appointment. And this is something we discussed a great deal in the past; that although there had been a past practice of having the input of the supervisor, that that was not a necessity. However, there was a query as to whether there was any kind of input from Smithtown •• from the Town of Smithtown.

### MR. ZWIRN:

I'm not aware that there was any; but as you recall last year when the County Executive had recommendations from the Town Supervisors, which was past practice, the Supervisor Cardinale had two recommendations that were •• didn't even get out of committee as far as the past practice went.

Supervisor McGintee of East Hampton had a bipartisan town board unanimous resolution recommending somebody who was qualified. And that person never get out of committee as well. They both failed. The six month rule took effect. So we had to refile it again and it never got out.

### **CHAIRPERSON VILORIA • FISHER:**

Okay. But the point is to this ••

#### MR. ZWIRN:

The point is the County Executive is now making appointments from the towns based on the quality of the individual. The criteria that he has set down in IR 1065, which is before this committee here today, he has picked people from the towns •• unlike Legislator Romaine indicated at the last meeting, the towns will be represented quite to the contrary of what he indicated at the last meeting that we had when he said the towns are being cut out. The towns will have a representative; one from each town. There'll be a representative selected from the association •• and this is getting ahead 1065. But with respect to the nominees that are before you today, we asked them to be based on their resumes and their character. They are outstanding appointments and they have not gone before the town supervisor or any town for approval.

### CHAIRPERSON VILORIA • FISHER:

Okay. There is a question •• Legislator Romaine's hand was first.

### **LEG. ROMAINE:**

I'm just going to say again planning and zoning, in the scheme of government in Suffolk County resides with the townships. While the County Executive can put forward any resolution, and I do not disagree Ben, that the nominee is qualified in many aspects. My problem with this nomination is the fact that Supervisor Vecchio and the other four members of the Smithtown Board weren't even consulted, informed or they weren't •• the appointment was never discussed. I know if I was supervisor or a town board member in Smithtown, and I opened the Smithtown Messenger, even the Smithtown News, as a matter of fact, if I opened that newspaper and saw an appointment to the Planning Commission that was supposed to speak for Smithtown, I'd be scratching my head. I'd be wondering what

happened to the comity that's supposed to exist between town and county government; that why wasn't, you know, the town supervisor or the town board members, at least sent a resume or inquiry. It's just •• it just seems not to be the way to approach this. And I don't disagree that your nominee has very good qualifications. But that notwithstanding, that I don't think trumps the fact that there should have been some outreach to the town officials in Smithtown as a matter of course.

#### CHAIRPERSON VILORIA • FISHER:

Okay. I think that Mr. Zwirn has stated his position on that.

### **LEG. ROMAINE:**

Got it.

#### CHAIRPERSON VILORIA • FISHER:

Legislator Losquadro. Or the County Executive's position, I should say.

#### MR. ZWIRN:

And my position.

# **LEG. LOSQUADRO:**

I just want to bring up the point that we have to be cognizant of the fact that these individuals that we're appointing cannot exist in a vacuum; that the •• we have to be realists. The planning functions and the land use functions do reside with the towns. And that in the interest of working together to try to accommodate the type of initiatives that the Planning Commission sees as in the best interest of Suffolk County, to accomplish this sort of regional planning that we would like to see take place, why create a situation where immediately •• I mean if you've seen this letter that was sent over by Frank Petrone ••

### **LEG. ROMAINE:**

And all ten ••

# **LEG. LOSQUADRO:**

And all ten supervisors, he's writing on behalf of the members of the Suffolk

County Supervisor's Association, I do not want to see a situation exist where immediately these individuals, these ten towns are going to be at odds because there were not consulted; that somehow they feel these individuals are not speaking for them. And much in the way that we criticized sense resolutions in the past, I don't want the recommendations of the Planning Commission to become sense resolutions. That when they go to another level of government, they go in the circular file. Because they weren't consulted? And quite frankly they don't feel they're speaking for them.

I'm concerned that we're setting up an adversarial situation from the outset. And I don't think that that's how we want different levels of government to interact. We want a situation where these other levels of government, these towns are going to accept these recommendations and look upon them favorably. So, I do think there is still something to be said for getting •• if not complete approval, from these towns, at least to give them the opportunity to comment on this instead of because of certain situations that occurred in the past last year where •• you can make faces all you like, Mr. Zwirn ••

### MR. ZWIRN:

It's a fact. When we brought these names to ••

# **LEG. LOSQUADRO:**

Mr. Zwirn, I'm not finished.

## MR. ZWIRN:

But you're saying something ••

# **LEG. LOSQUADRO:**

Mr. Zwirn, I'm not finished.

# MR. ZWIRN:

I'll defer.

# **LEG. LOSQUADRO:**

Thank you. The fact of the matter is there were severe problems as we saw with certain of those individuals. One in particular I can think that we saw

as being far too •• too much of a political operative •• we can disagree on that •• but it was a legitimate concern. And I made •• I did not hide that as Chair of the committee. So, we can disagree with that. But in this case to simply completely abandon that process because of a couple of bad experiences, I do not feel is a right course of action. I still think that the towns should be consulted even if the decision has already been made in some way on the County Executive's part. To completely shut the towns out I don't think is the right course of action. We should continue to consult them on these matters.

#### **CHAIRPERSON VILORIA • FISHER:**

Legislator Lindsay.

#### PRESIDING OFFICER LINDSAY:

Well, you know •• last year •• and I disagree with Legislator Losquadro. Last year when we did seek the supervisor's recommendations, we ignored them. So, I mean that's the criteria evidently was set.

#### **CHAIRPERSON VILORIA • FISHER:**

You can't have it both ways.

### PRESIDING OFFICER LINDSAY:

Right.

# **LEG. LOSQUADRO:**

Well, if I may offer a retort to that, the Town of Brookhaven had a recommendation in place for two years that was ignored by the County Executive.

## MR. ZWIRN:

And there was a reason •• there was a good reason for that.

## **LEG. LOSQUADRO:**

Because the County Executive decided ••

## MR. ZWIRN:

There was a conflict because he sat on the Planning Commission in the Town

of Brookhaven.

## **LEG. LOSQUADRO:**

It was not a conflict until the County Executive decided it was a conflict. And he decided he would set a criteria that members of Planning bodies would not be allowed so ••

### MR. ZWIRN:

But then after blocking the appointment with the County Executive ••

#### **CHAIRPERSON VILORIA • FISHER:**

Well, rather than continue with the debate about ••

#### MR. ZWIRN:

•• Pruitt was approved by Mr. Losquadro and the other members based on his meritorious resume ••

### **CHAIRPERSON VILORIA • FISHER:**

Thank you.

### MR. ZWIRN:

•• without the supervisor's approval.

### **CHAIRPERSON VILORIA • FISHER:**

Let's just stop the debate about last year. Let's just stop about last year's debate.

# **LEG. LOSQUADRO:**

Right.

# **CHAIRPERSON VILORIA • FISHER:**

We have before us ••

## **LEG. ROMAINE:**

That was then; this is now.

#### **CHAIRPERSON VILORIA • FISHER:**

•• a very •• certainly eminently qualified, well known person who has represented a regional view of the community. And by the way who has led an initiative, being the Director of the Long Island Index, has certainly helped to shape the way we have all looked at government in the past three years. She has been on the integral part of how we are looking at planning. And to take political posturing that occurred last year and insert it into the discussion of this very qualified candidate, I don't think is something that that •• an exercise in which we should be involved at this particular point in time. The philosophical issues regarding the makeup of the Planning Board which is •• we will be discussing 1065, that will be the time to enter into this debate.

Right now Carrie Meek Gallagher is a person with whom I've worked on many different levels, when she was working at •• at Dowling she worked on a variety of projects that were very meaningful. She certainly knows Long Island. She knows the region. She is very well qualified. I think she'll bring a wealth of knowledge and experience to the Planning Board. And I don't think we should muddy the water with what had occurred in the past. And the philosophical difference remains, that you feel that the County Executive should consult with the town supervisors; however, there is no requirement that he should do so.

# **LEG. LOSQUADRO:**

Madam Chair.

## **CHAIRPERSON VILORIA • FISHER:**

Yes.

# **LEG. LOSQUADRO:**

If I may, both Mr. Zwirn and the Presiding Officer both chose to take one part of what I said which was the debate that had occurred last year over appointments, but chose to ignore the fundamental, the crux of my comments which was we must realize that the land use powers do lie with the towns. And that in the interest of fostering a relationship between county and town governments, would it not be better to start these relationships off for those individuals who will be representing those towns;

to not create a situation where the reality of the situation may be the towns would be more inclined to ignore these recommendations rather than support them.

# **CHAIRPERSON VILORIA • FISHER:**

And that's a broader argument for a different discussion. Legislator D'Amaro.

#### **LEG. D'AMARO:**

You know, I want to respect your attempt to narrow the issue here. And I think there will be time and place to talk about exactly what the procedure should be and deference given to other jurisdictions. But I do want to add as a former town official on the Town of Babylon Zoning Board Chairperson for the last ten years, I can tell you that planning is •• it should be a joint effort. I do agree with that. However, I would not go far as •• I would not go so far as to say that this is going to create an adversarial relationship with the towns. I think we're exercising a degree of independence which in my view is a breath of fresh air in the whole planning process because we need in independent layers looking at planning today. That's why because we don't have that is why we're in the mess that we're in.

So I'm not disagreeing necessarily with my colleagues. I think there's a fine line between independence or just taking a recommendation at face value. I think we have to discuss that at another time and how we come to the right formula there. But I can tell you it's a legitimate concern.

## **CHAIRPERSON VILORIA • FISHER:**

Short.

### **LEG. ROMAINE:**

I happen to agree with the last three speakers. Madam Chairman, I agree with you very much that this is a qualified nominee and certainly has the qualifications. I happen to agree that there should be some degree of independence. But more importantly, I agree with Legislator Losquadro that at least the town should have been contacted. They don't have to give their approval. They don't have to give their stamp of approval although that would be beneficial. But they should have been contacted. It's a courtesy.

Therefore, I'm moving to table this nomination to our next meeting to allow the County Executive to reach out to Supervisor Vecchio and the four members of the Smithtown Town Board so that he can have an opportunity to exercise that courtesy that he is so well known for. So with that I make a motion to table this for one month to allow the County Executive to do outreach with the Town of Smithtown.

#### **CHAIRPERSON VILORIA • FISHER:**

Is there a second?

# **LEG. LOSQUADRO:**

Second.

#### **CHAIRPERSON VILORIA • FISHER:**

Seconded by Legislator Losquadro. All in favor?

#### **CHAIRPERSON VILORIA • FISHER:**

Note Legislators Romaine and Losquadro. And opposed? Motion fails. I will make a motion to approve. And I believe that there would be ample time between now and Tuesday for Supervisor Vecchio to be informed of this approval. Is there a second?

## **LEG. D'AMARO:**

Second.

## **CHAIRPERSON VILORIA • FISHER:**

Legislator D'Amaro.

# **LEG. LOSQUADRO:**

On the motion I will say I will vote for this appointment. But I just would suggest to the County Executive's Office, I know I've had some conversations with the County Executive most recently over lunch today; and one of the main discussions we've been having is improving relations not only between the branches of government within Suffolk County government but within other levels of government. So, I would just say if we are truly looking to improve the dialogue, please have the Executive's Office make the outreach to this Town of Smithtown to least give them the

courtesy of knowing the background and the, you know, a chance to review the resume of the person that we are going to be appointing as their representative.

#### MR. ZWIRN:

Fair enough.

## **LEG. LOSQUADRO:**

Thank you.

#### **CHAIRPERSON VILORIA • FISHER:**

So noted. All in favor? Opposed? Abstentions? **Motion carries.** One abstention. (Vote: 5•0•1•0. Leg. Romaine abstains) Congratulation, Carrie.

I would like to make a motion to take 1137 out of order. And I'm sorry, Adrienne ••

# **LEG. LOSQUADRO:**

I'll second that motion.

### **CHAIRPERSON VILORIA • FISHER:**

Motion to take 1137 out of order has been moved and seconded. All in favor? Opposed? **1137 is before us. The motion is to appoint member of the Planning Commission Adrienne Esposito.** And she would be representing the Village of Patchogue. Is there a motion?

## **LEG. ROMAINE:**

Question.

## **CHAIRPERSON VILORIA • FISHER:**

Would you like to ••

## **LEG. LOSQUADRO:**

The motion's before us.

# **LEG. ROMAINE:**

There's a motion before us. I would just like to raise a point of information.

#### **CHAIRPERSON VILORIA • FISHER:**

Well, I didn't make a motion to approve yet.

# **LEG. LOSQUADRO:**

Yes, I said the motion is before us; correct?

## **CHAIRPERSON VILORIA • FISHER:**

No. It's out of order now.

## **LEG. LOSQUADRO:**

Yes. It's before us.

#### **CHAIRPERSON VILORIA • FISHER:**

Right.

### **LEG. ROMAINE:**

Right.

### **CHAIRPERSON VILORIA • FISHER:**

There's no motion before us. We haven't made a motion.

# **LEG. D'AMARO:**

No, there's no motion to approve.

## **LEG. ROMAINE:**

I'll make the motion to approve so there can be discussion.

## **LEG. D'AMARO:**

Second:

## **LEG. ROMAINE:**

Again •• and I don't know if you left, Mr. Zwirn ••

# MR. ZWIRN:

No, I'm here. You want me back up?

#### **LEG. ROMAINE:**

Yes, thank you. But the only question is the same question. Was the Mayor Paul \\_Pontieri\\_ and the Village Board of Patchogue in any way consulted, informed or was this appointment discussed with them at all?

#### CHAIRPERSON VILORIA • FISHER:

Yes, at the State of the County.

#### MR. ZWIRN:

Adrienne would be representing village over 5,000; not just the Village of Patchogue.

#### CHAIRPERSON VILORIA • FISHER:

Okay.

### **LEG. ROMAINE:**

Okay. Okay. Then let me rephrase my question. Was the Executive Director •• is he still Executive Director now that he went to work for Brookhaven? I don't know. A Mark Grossman?

### MR. ZWIRN:

The answer is I don't believe so.

### **LEG. ROMAINE:**

Was the Executive Director or the President of the Village Association •• Suffolk County Village Association contacted in any way?

### MR. ZWIRN:

I don't know that, but I don't think so.

### **CHAIRPERSON VILORIA • FISHER:**

Okay. So all of the above.

### MR. ZWIRN:

The County Executive's making these appointments on merit. And that's how we ask the Legislature treat them. And vote on that.

#### **LEG. ROMAINE:**

I believe in merit, but I also believe in courtesy.

#### **CHAIRPERSON VILORIA • FISHER:**

Okay. So noted.

## **LEG. LOSQUADRO:**

And, again, in the interest of actually having towns and villages being more willing to accept these recommendations. I think some dialogue is certainly in order. And it would probably be well received.

#### **MR. ZWIRN:**

Okay.

#### **LEG. ROMAINE:**

And I just want to add one thing, if I may. I know the nominee here is a qualified person and feel confident if the vote was on qualifications alone in casting that vote. And I made my point so I won't make it again.

### PRESIDING OFFICER LINDSAY:

Madam Chair.

### **CHAIRPERSON VILORIA • FISHER:**

Yes.

## PRESIDING OFFICER LINDSAY:

While we're discussing ••

### **CHAIRPERSON VILORIA • FISHER:**

Yes. Can you speak loudly?

### PRESIDING OFFICER LINDSAY:

While we're discussing this nomination •• it's just a generic question •• about how long did the Planning Commission go without a full contingent of members?

#### MR. ZWIRN:

Commissioner Isles could ••

### **MR. ISLES:**

It's several years now without a full contingent at this point.

#### PRESIDING OFFICER LINDSAY:

So, my question is to Mr. Zwirn. So this new procedure of going forward with the County Executive's absolute right to nominate anyone and the Legislature's absolute right to accept or reject any candidate is to break that deadlock?

#### **MR. ZWIRN:**

That's correct. And you remember what happened last year when we tried to go through an old system that was by tradition as opposed to by law.

#### **CHAIRPERSON VILORIA • FISHER:**

Okay. We have a motion and a second. All in favor? Opposed? Abstentions? Okay. **Motion carries. (Vote: Vote: 6•0)** Congratulations, Adrienne.

1138. I make a motion to take 1138 out of order.

## **LEG. LOSQUADRO:**

Second.

### **CHAIRPERSON VILORIA • FISHER:**

Seconded by Legislator Losquadro.

## **LEG. LOSQUADRO:**

Motion to approve. (1138 to re • appoint member of the County Planning Commission Sarah Lansdale)

### **CHAIRPERSON VILORIA • FISHER:**

Legislator Losquadro makes a motion to approve.

## **LEG. D'AMARO:**

Second.

#### **CHAIRPERSON VILORIA • FISHER:**

Seconded by Legislator D'Amaro. And the same questions don't hold here because this is a reappointment.

#### **LEG. ROMAINE:**

That's all I wanted to know. Thank you.

# **LEG. LOSQUADRO:**

That's why I made the motion.

#### CHAIRPERSON VILORIA • FISHER:

So those in favor? Opposed? Abstentions? **Motion carries. (Vote: 6**• **0)** Sarah, if you're still here, congratulations. Okay. Thank you very much.

Now to the top of the agenda. Tabled resolutions.

### **TABLED RESOLUTIONS**

## **CHAIRPERSON VILORIA • FISHER:**

1026, a Charter Law to amend the Suffolk County Charter Law to ensure representation of environmental interests and historic preservation at the Council on Environmental Quality. I make a motion to approve.

## **LEG. D'AMARO:**

Second.

### **CHAIRPERSON VILORIA • FISHER:**

Second by Legislator D'Amaro. All in favor? Opposed? Abstentions? **Motion carries. (Approved. 6.0)** 

**1065**, a Charter Law to promote non•political, professional diverse County Planning Commission. Now, because I was busy with the meeting and I just received this letter regarding 1065 from the Suffolk County Supervisors' Association, I really haven't had a chance to read it. But from what •• Linda Burkhardt gave it to you. It should be in there somewhere. I'm just going to read it into the record while I'm reading it.

"I am writing at the request of the members of the Suffolk County Supervisors' Association, the Committee on Environment, Planning and Agriculture considering the above resolution that would amend Article 14 of the Suffolk County Charter removing the current members of the Suffolk County Planning Commission and establishing new criteria for the selection of future members. While appreciative of the Legislature's intent, our Association wishes to register a concern that the ten individual towns remain an integral part of the commission candidate selection process. Under New York State law land use regulation is and remains a town and village function. The Suffolk County Planning Commission must continue to recognize this imperative. As the demand on land resources escalates and projects in one jurisdiction impact another, the need for competent jurisdictional representation increases rather than decreases. The Suffolk County Supervisors' Association believes that the goals of promoting professional diversity and diminishing political influence on the Planning Commission can be achieved without foregoing the historic cooperation between the County, town and villages in the selection of Planning Commission members and the conduct of commission business."

I thought you had received a copy earlier.

"It is our believe that consistent with the criteria each town supervisor should have the right to select a representative from his town and that representative must be considered by the full Legislature. We request that 14•2 of the proposed local law be amended to provide membership consistent of quote one member from each of the ten towns of Suffolk County as nominated by each town supervisor, one member from incorporated villages under 5,000 population, one member from incorporated villages of over 5,000 population as nominated by the Suffolk County Village Officials Association. This mirrors the practice that occurred

in the past. We would request affirmation of the County's intention to continue this cooperative planning relationship before your committee makes any recommendation for further legislative action."

Now I read this in full and directly because it was alluded to by Legislator Losquadro. And I didn't want to just paraphrase his paraphrase. However, this does change the previous method which was that although there was input from the town supervisors, it was not a requirement. And so this would change that not in practice but in law. It would have changed the law if I'm correct. Ben.

#### MR. ZWIRN:

If this were codified.

### **LEG. LOSQUADRO:**

Yeah, right.

#### CHAIRPERSON VILORIA • FISHER:

If this were codified, it would change that; if we were to move along the lines of this letter. I believe that as Legislator Lindsay just said, we're moving much nor expeditiously the way we're moving right now. I do believe that we need to have a spirit of cooperation; that we would try to keep the lines of communication open. And the courteous lines of communication open. But I respect the County Executive's move to stream line and professionalize the Planning Board. Legislator Romaine.

#### **LEG. ROMAINE:**

This represents •• this letter represents the thinking of Huntington Supervisor Frank Petrone, Islip Supervisor Pete McGowan, Babylon Supervisor Steve Bellone, Brookhaven Supervisor Brian X. Foley, East Hampton Supervisor William McGintee, Riverhead Supervisor Phil Cardinale, Shelter Island Supervisor Al Kilb, Smithtown Supervisor Pat Vecchio, Southampton Supervisor Skip Heanney and Southold Supervisor Scott Russell. I assume that's the case.

#### **CHAIRPERSON VILORIA • FISHER:**

If that's who signed the letter, then it would seem to me that they would be

### **LEG. ROMAINE:**

They have asked this Legislature to not vote for the proposed resolution; and instead to amend it and work with the supervisors of the ten towns.

#### CHAIRPERSON VILORIA • FISHER:

Yes. And the statement that I just made regarding my feeling was that I have a policy difference with them which is I don't believe that we should change the method in which we have always chosen the supervisor which was it was a County Executive with the input from the supervisor, but it was never codified by law. That it was an appointment ••

#### **LEG. ROMAINE:**

I understand. I understand.

#### CHAIRPERSON VILORIA • FISHER:

Okay.

#### MR. ZWIRN:

And if I might add, ignored at will.

### **LEG. ROMAINE:**

When he mentioned the absolute right and unfortunately some people were debating last year, but the history professor and me thought of Louie the 14th with the absolute right.

#### CHAIRPERSON VILORIA • FISHER:

Well, we don't want to crown anybody king here.

# **LEG. ROMAINE:**

No.

## **CHAIRPERSON VILORIA • FISHER:**

Because the Legislature does have to approve through our vote.

### **LEG. LOSQUADRO:**

Madam Chair.

### **CHAIRPERSON VILORIA • FISHER:**

Yes.

## **LEG. LOSQUADRO:**

If I may, as with so many things in government, I offer that this is •• this is, of course, a request to see a change made in the Charter. But it is just that. It's a request.

### **CHAIRPERSON VILORIA • FISHER:**

Yes.

## **LEG. LOSQUADRO:**

And this is perhaps the beginning of a dialogue that could occur that could perhaps find a solution that will be agreeable to the ten towns and to the County Executive and the Legislature instead of, as I said earlier, creating a situation where you could have animosity generated. And I would not like to see that because the towns do control these land use matters. And I would hate to think that, again, recommendations from the Planning Commission would not be taken as seriously because the towns have felt they are being shut out of this process.

So, I would say that this is a good opportunity to open some dialogue on this resolution with the towns to find if there is some middle ground that could be reached because it seems readily apparent that the County Executive has no desire to codify in law that the towns could make their own selections to be brought before the Legislature. Am I correct in that assumption?

### **MR. ZWIRN:**

And it's correct for good reason. There is know timetable for a supervisor to make an appointment ••

# **LEG. LOSQUADRO:**

Mr. Zwirn, I asked you simple question. So, I appreciate you keep talking

over me so I'll take keep talking over you.

#### MR. ZWIRN:

Because Supervisor Cardinale and Supervisor McGintee must feel very frustrated because ••

## **LEG. LOSQUADRO:**

Unbelievable.

#### MR. ZWIRN:

•• because they didn't get their appointments even considered by the full Legislature which is what Supervisor Petrone was asking for in his own letter.

# **LEG. LOSQUADRO:**

Madam Chair.

#### **CHAIRPERSON VILORIA • FISHER:**

Yes. Finish your point. Go ahead.

# **LEG. LOSQUADRO:**

I would appreciate •• I would appreciate if you would keep comments as •• it's not even worth it. No.

## **CHAIRPERSON VILORIA • FISHER:**

Were you going to continue?

## **LEG. LOSQUADRO:**

I was just going to say this would be opportunity to open dialogue between the towns, the Town Supervisor Association and the County. I don't •• we are moving forward in a very expeditious manner in terms of putting members on the Planning Commission. I see no rush to change the makeup at the moment. So I would say this is an opportunity based on this correspondence to open that dialogue. So I make a motion to continue tabling this so that correspondence and dialogue can take place.

#### **LEG. ROMAINE:**

Second.

#### **CHAIRPERSON VILORIA • FISHER:**

Motion by Legislator Losquadro to table, seconded by Legislator Romaine. On the motion. I believe that if true dialogue and communication were the order of the day, we would not have received this letter at this point in time when we're about to vote on something as important as this. This is not a new piece of legislation.

#### **LEG. ROMAINE:**

I think they just found out about it. I can you that because I spoke to a number of supervisors at a press conference recently.

#### **CHAIRPERSON VILORIA • FISHER:**

Okay.

#### **LEG. ROMAINE:**

And they had no knowledge of this legislation.

#### **CHAIRPERSON VILORIA • FISHER:**

Well, that's unfortunate but ••

# **LEG. LOSQUADRO:**

Exactly my point.

#### **CHAIRPERSON VILORIA • FISHER:**

There's a motion and a second. Did you want to make a comment on the motion?

## **LEG. D'AMARO:**

I'll wait. Go right ahead.

## PRESIDING OFFICER LINDSAY:

I wanted to make a comment on the motion. Whether the supervisors were consulted on the prior appointments, I think, has kind of spilled over to this.

The legislation, the way the I understand it here, mandates that different segments of our communities be represented not only geographically but also as to their background and knowledge, which I think is at the heart and soul of the •• of this legislation. I know the supervisors' letter has skewed that a little bit to try and add that virtually the supervisors would have appointment powers over the County Planning Commission. To my knowledge the County Planning Commission plays an advisory role. The towns ultimately have the power over Planning within their own jurisdiction. I'm not willing to give up our ability to appoint people to the County Planning Commission.

### **CHAIRPERSON VILORIA • FISHER:**

By the way, in this iteration of the makeup, the resolution we have before us is the first time that town supervisors do have a recommendation. There is one member who shall be an individual recommended by the Association of Town Supervisors. So, there is one member that is recommended by them.

### **LEG. D'AMARO:**

Can I ask a question?

### **CHAIRPERSON VILORIA • FISHER:**

Yes.

### **LEG. D'AMARO:**

You know, again, I don't think the Legislation would prevent anyone from making recommendations to their elected officials or to the County Executive's Office including town supervisors. And I also think that, you know, we're missing the larger picture here. And this is •• the larger picture here is about reform. It's about reforming different systems and practices that have taken place in this county over time. And it's time for them to change because we see the result. As the Presiding Officer points out, this is an advisory board. As a former •• again as a former town official on the zoning board, I would have welcomed a more independent voice on many applications. But I feel like it was never forthcoming. So, I think we need to keep the larger picture in place here. And frankly, you know, put your neck

out on the line a little bit and let's get some reform to government because it's the right thing to do.

### **CHAIRPERSON VILORIA • FISHER:**

Legislator Romaine.

#### **LEG. ROMAINE:**

Two very quick points. This commission isn't always advisory. This commission when you cast a vote against a project for the town to approve that project as it did with Tanger in Babylon on Deer Park Avenue, you need a super majority. And they did not give that so they did not need that super majority.

### **LEG. D'AMARO:**

All the more reason not to have the towns appointing the addition to the board.

#### **LEG. ROMAINE:**

Why? Because it's just not an advisory commission. It can have impact on planning. And two, based on qualifications, Harry Truman could not meet the standard to be appointed. Just point out that to you. And yet he turned to be an excellent president. Sometimes people surprise you with their appointments.

#### CHAIRPERSON VILORIA • FISHER:

Okay. We have a motion and a second.

## **LEG. D'AMARO:**

Can I just add though ••

### **CHAIRPERSON VILORIA • FISHER:**

Yes.

## **LEG. D'AMARO:**

It would not have stopped anyone from recommending Harry Truman.

#### CHAIRPERSON VILORIA • FISHER:

Touché. All those in favor of a tabling motion? Legislators Romaine and Losquadro. Opposed?

#### PRESIDING OFFICER LINDSAY:

Opposed.

#### **LEG. D'AMARO:**

Opposed.

#### **CHAIRPERSON VILORIA • FISHER:**

Motion fails. I'll make a motion to approve.

#### LEG. D'AMARO:

Second.

#### **CHAIRPERSON VILORIA • FISHER:**

Second by Legislator D'Amaro. All in favor? Legislator Lindsay, D'Amaro and myself. Losquadro. Opposed? Legislator •• nobody's opposed. Abstentions? Abstention by Legislator Romaine. Motion carries. (Vote: 5 •0•1•0. Leg. Romaine abstained)

### MS. KRAUS:

I'm going to change my paper.

### **CHAIRPERSON VILORIA • FISHER:**

Yes. Because I'm going to ask Jim Bagg to take the hot seat for a couple of minutes. I have some questions for you, Jim. I would just ask you to sit there in case there are questions on 2022 because it's about SEQRA and CEQ.

# **INTRODUCTORY RESOLUTIONS**

## **CHAIRPERSON VILORIA • FISHER:**

Okay. The next resolution is 2022, making a SEQRA determination in

connection with the proposed Francis S. Gabreski Airport redevelopment. Of Long Island Jet Center East, Inc, Town of Southampton. Okay. Are there any questions for Jim on this resolution?

## **LEG. LOSQUADRO:**

I will just ask obviously there's a neg dec; correct?

#### MR. BAGG:

Well, the CEQ recommended to the Legislature negative declaration. But the Legislature passes the actual dec.

## **LEG. LOSQUADRO:**

It was recommended as a negative declaration. I had brought up some points earlier regarding fuel storage, things of that nature. Obviously all of that would be done in compliance with existing regulations. This is talking about some •• some paving, some site grading, installation of hangars, things of that nature. But this is land that is not •• it's already disturbed; correct? That was the basis for the recommendation for the negative declaration?

### MR. BAGG:

That is correct. The proposed project is in the compatible growth area. It's not in the core area. Although the entire airport's in the Pine Barrens area, only a part of the airport is in the core area. And this project is not. It's in the compatible growth area.

The area that is being considered for the project is where the company currently is. They will be utilizing one of the existing buildings that they have. It is predominantly paved and some grass area which is on filled land; so no Pine Barrens have attached per se would be affected.

Now, some people have raised the point that the airport is in what is known as critical environmental areas. And it's in two CEA's. The first one is Suffolk County Legislature dedicated the Pine Barrens zone or designated the Pine Barrens zone into a critical environmental area for the expressed purpose of preserving Pine Barrens habitats. So, this project will not disrupt any Pine Barrens habitat. So, in essence, it's not in violation of one of the

original characteristics for which that CEA was made.

The second CEA designation is part of the special ground water protection area. The airport is in a deep aquifer recharge area. And the purpose of the special ground water protection areas are to preserve the underlying ground water. And because the proposal is going to be hooked up to an existing sewage treatment plant that has capacity •• and I don't believe the facility is currently hooked up to the sewage treatment plant on septics. And because it will be in conformance with Article VII and XII which govern the storage of fuel and distribution of fuel in the SGPA area, the CEQ felt that underlying ground water would not be impacted as well. So, they made the recommendation.

## **LEG. LOSQUADRO:**

Okay.

#### **CHAIRPERSON VILORIA • FISHER:**

Thank you, Jim. I'm going to make a motion to approve.

### PRESIDING OFFICER LINDSAY:

Second.

### **CHAIRPERSON VILORIA • FISHER:**

Seconded by Legislator Lindsay. All in favor? Opposed?

## **LEG. ROMAINE:**

I'd like to say I'm not opposed to the project. I just believe it needs a fuller environmental look than it's getting.

# **LEG. LOSQUADRO:**

And in the same vain, I'll abstain.

## CHAIRPERSON VILORIA • FISHER:

And one abstention. Okay. Motion carries. (Vote: 4 • 1 • 1 • 0. Leg.

Romaine opposed. Leg. Losquadro abstains)

# **CHAIRPERSON VILORIA • FISHER:**

**1074, authorizing acquisition of land under the Suffolk County Save Open Space ••** actually we need Tom Isles.

### PRESIDING OFFICER LINDSAY:

I don't think we need •• I'm looking. Is there anybody here from the Town of Islip?

#### **CHAIRPERSON VILORIA • FISHER:**

Motion to table?

#### PRESIDING OFFICER LINDSAY:

No. I'm going to make a recommendation to table for the simple reason that this acquisition came to me as a result of a recommendation from the Town of Islip. I requested them here to make their case why the land should be preserved. And I don't see them here so I'm not prepared to go forward.

#### CHAIRPERSON VILORIA • FISHER:

Okay. So the sponsor is making a motion to table.

### **LEG. D'AMARO:**

Second.

### **CHAIRPERSON VILORIA • FISHER:**

Seconded by Legislator D'Amaro. All in favor? Opposed? **Motion tabled. 1074.** I'm sorry. I didn't read it. **(Vote: 6•0)** 

1076, authorizing planning steps for the acquisition of land under the New Suffolk County Drinking Water Protection Program, Stein property in the Town of Islip. Okay.

### **MR. ISLES:**

This very quickly if I could, this is a meritorious acquisition. It is, however, on the new Master List II, not III or not I. But it is on Master List II. I can convey that to Legislator Alden.

## **LEG. ROMAINE:**

Are we duplicating our planning steps?

#### **MR. ISLES:**

I think this would be duplicating because it was in Master list II.

### **LEG. ROMAINE:**

It was on Master List II. And when was that adopted?

### **MS. FISCHER:**

August of last year.

#### **MR. ISLES:**

August 2005.

# **LEG. LOSQUADRO:**

Has there been any motion? I was going to say has there been any motion on it in terms of offer, you know, offer of interest letter sent out? And have we heard back from the property owner?

### **MR. ISLES:**

I don't believe we •• I certainly don't believe there's been an offer of interest. I'd have to check in terms to see what the status is of the planning steps resolution.

### **CHAIRPERSON VILORIA • FISHER:**

So you're saying there's as an existing planning steps ••

## **LEG. LOSQUADRO:**

It's an expression. You know what I mean?

## **MR. ISLES:**

Yes, I do.

# **CHAIRPERSON VILORIA • FISHER:**

Okay. Let's wait to be recognized so we're not talking over each other.

Okay. There's an existing •• we've already approved planning steps for this in Master List II?

#### **MR. ISLES:**

Yes.

#### **CHAIRPERSON VILORIA • FISHER:**

And there's on going negotiations?

#### **MR. ISLES:**

I don't know if they're on going negotiations.

#### **CHAIRPERSON VILORIA • FISHER:**

I believe Janet has •• is raising her hand.

#### MS. LONGO

Master List II, right now Real Estate is currently involved in trying to close everything from Master List I. Master List II, we've sent out requests to Donna Wade out of County Center for last owner searches, which is what we have to do when we open a file, before we send an interest letter. So at this point as they're coming in, I'm distributing the files and we're sending out interest letters. It's not coming in in any rhyme or reason. When she does them, it comes in. We send them out. If somebody who has property on that list contacts me because they know they have •• the property's on that list, you know, of course, right away I'll make sure that that one gets out. And we'll get an interest letter out and we order appraisals. But there •• you know, there are thousands of properties on this list and we're trying to close thousands ••

### **CHAIRPERSON VILORIA • FISHER:**

But my point is that this is one of those active parcels?

## **MS. LONGO:**

This is one of the parcels on Master List II.

### **CHAIRPERSON VILORIA • FISHER:**

So, we don't really need this legislation?

#### MS. LONGO

No.

# **LEG. LOSQUADRO:**

Madam Chair, if I may?

#### **CHAIRPERSON VILORIA • FISHER:**

Yes.

## **LEG. LOSQUADRO:**

Based on our discussions of Master List III, even though this is duplicative, it's a belt and suspenders approach. So, we should pass it anyway.

#### CHAIRPERSON VILORIA • FISHER:

No. Actually this is very different from that situation. And I know that Legislator Romaine has heard the difference which is that the original legislation regarding that north fork preserve was that it was a full fee acquisition for farmland use which really is a bizarre piece of legislation. And I don't know how that •• how we passed that.

#### **LEG. ROMAINE:**

But you did.

### **CHAIRPERSON VILORIA • FISHER:**

But we did. It's slipped by us and we did pass it. If this is real duplication of what already exists, I don't really that think we should pass it. I'm going to make a motion to table subject to call.

### **PRESIDING OFFICER LINDSAY:**

If I might speak on if, what harm does it do to pass it?

## **CHAIRPERSON VILORIA • FISHER:**

To tell you the truth ••

### PRESIDING OFFICER LINDSAY:

Yes.

#### CHAIRPERSON VILORIA • FISHER:

Well, let's ask Counsel.

#### MR. BARRY:

We certainly had this discussion last time.

#### **CHAIRPERSON VILORIA • FISHER:**

But they were different.

#### MR. BARRY:

But planning steps really don't die. They continue; so to do it again is just having another statement by the Legislature that you want this as a planning steps.

### **CHAIRPERSON VILORIA • FISHER:**

Okay. Pat Zielenski.

### MS. ZIELENSKI:

I'm just concerned when we get to duplications, unless they're identical, and even if they are, the confusion caused by duplicate numbers and references might sometimes pose a problem.

### **LEG. ROMAINE:**

That's why you can assign them A and B.

## PRESIDING OFFICER LINDSAY:

Could I just ask question?

#### CHAIRPERSON VILORIA • FISHER:

Could you let Lauretta •• she was waiting to say something.

## **MS. FISCHER:**

If I may, the 10 •• intro reso 1076 is requesting planning steps under the New Suffolk County Drinking Water Protection. That is one of the programs within master list. So it would be duplicative if we moved forward.

### **CHAIRPERSON VILORIA • FISHER:**

So it's the same program.

#### PRESIDING OFFICER LINDSAY:

My question, Madam Chair, is to Pat. If it was an individual planning steps resolution, would that accelerate our action of contacting the owners as opposed to the master list?

#### **MS. ZIELENSKI:**

No, because you still send it for a last owner search before we ••

#### PRESIDING OFFICER LINDSAY:

It would go through the exact same process?

#### **MS. ZIELENSKI:**

Yes. The only thing that currently brings it to the top is if the owner contacts us, which is an expression of interest when otherwise we have to verify who the owner is before we can see if there's any interest •• direct contact with expressed interest.

### LEG. D'AMARO:

Isn't it also that the last resolution we discussed was •• had an overlap but was not identical. And this is an identical ••

### CHAIRPERSON VILORIA • FISHER:

Yes.

# **LEG. D'AMARO:**

•• authorization.

## **CHAIRPERSON VILORIA • FISHER:**

This is identical.

# **LEG. D'AMARO:**

And, you know, in deference to the day to day functioning if you start assigning duplicate numbers and referencing, it's probably a path you really

don't want to go down.

#### **CHAIRPERSON VILORIA • FISHER:**

Yeah.

## **LEG. LOSQUADRO:**

Madam Chair.

### **CHAIRPERSON VILORIA • FISHER:**

I made a motion •• I'll make it a motion to table. Is there a second?

## **LEG. LOSQUADRO:**

I'll second the motion for the purposes of discussion. I would just say on the motion that my comments were more geared towards pointing out the absurdity of the previous situation where even based on Counsel's acknowledgment that it was substantively similar and we could have acted on the existing planning steps ••

#### **CHAIRPERSON VILORIA • FISHER:**

You couldn't. No, we couldn't. I disagreed with Counsel and Pat Zielenski disagreed with Counsel because it was for farmland purposes. It said it in the resolution.

## **LEG. LOSQUADRO:**

It still said for fee title. And ••

### **CHAIRPERSON VILORIA • FISHER:**

For farmland purposes. So we wouldn't have been able to use that as open space. We would have had to start growing corn on it.

# **LEG. LOSQUADRO:**

I disagree with that assessment. And Counsel •• I happen to agree with Counsel and you disagreed with Counsel. And I certainly would not like to see us go down a path that would muddy the waters and create duplicate resolutions and make the job already a very difficult job at Planning and Real Estate have, any more difficult; but I •• I just wanted to bring it up. And I hope that this does not become a problem in the future from either side;

from the legislative branch or the executive branch.

#### **CHAIRPERSON VILORIA • FISHER:**

We shouldn't have duplicative resolutions.

#### **PRESIDING OFFICER LINDSAY:**

Madam chair, just to move this along, what if ••

### **CHAIRPERSON VILORIA • FISHER:**

Well, we have a motion to table.

#### PRESIDING OFFICER LINDSAY:

I know that. I want to talk about the motion to table. Why don't we go along with the tabling and give the sponsor an opportunity to come in and make his case if he wants the resolution moved?

#### **LEG. ROMAINE:**

Sounds fair.

## **LEG. LOSQUADRO:**

Yeah.

## **CHAIRPERSON VILORIA • FISHER:**

Okay. Motion to table. All in favor? Opposed? Motion carries.

1087 was done.

1111, making a SEQRA determination in connection in connection with the proposed modifications to the warehouse at Board of **Elections.** Jim.

# MR. BAGG:

That was brought up at the last committee meeting.

# **CHAIRPERSON VILORIA • FISHER:**

Right. Okay.

#### MR. BAGG:

And you recommended discharge. And this resolution was prepared by Counsel.

#### **CHAIRPERSON VILORIA • FISHER:**

Okay.

### **LEG. LOSQUADRO:**

Motion.

#### **CHAIRPERSON VILORIA • FISHER:**

Motion by Legislator Losquadro.

#### **LEG. ROMAINE:**

Second.

#### **CHAIRPERSON VILORIA • FISHER:**

Seconded by Legislator Romaine.

1112.

# **LEG. LOSQUADRO:**

1111, did you call the vote on that?

## **CHAIRPERSON VILORIA • FISHER:**

Okay. Thank you.

## **LEG. D'AMARO:**

And you can put it on the consent calendar.

#### CHAIRPERSON VILORIA • FISHER:

Yeah, we can also put them on the consent calendar. Motion to approve and place on the consent calendar? All in favor? Opposed? 1111 is approved and placed on the consent call. (Vote: 6•0)

1112 (making a SEQRA determination in connection with the proposed renovations to the old 6th Police Precinct, CP #3188,

# **Coram, Town of Brookhaven)**

## **LEG. LOSQUADRO:**

Same motion; to approve and place on the consent calendar.

### **CHAIRPERSON VILORIA • FISHER:**

Same motion. Same second? Same vote. (Approved and placed on consent calendar. Vote: 6.0)

1113 (making a SEQRA determination in connection with the proposed donation or property, file #s05 • 04 • 0019, Miller Place, Town of Brookhaven)

# **LEG. LOSQUADRO:**

Same motion.

#### **CHAIRPERSON VILORIA • FISHER:**

Same motion, same second, same vote. (Approved and placed on the consent calendar. Vote: 6.0)

1115, designating the month of January as the annual thirty•day period within which a land may submit a request for inclusion of land that is predominately viable agricultural land with a certified agricultural district. And although we are now in February, we all had an explanation at the general meeting when this was introduced as a CN as to why this would still be advisable and workable. Mr. Isles.

#### **MR. ISLES:**

We have filed the corrected copy on this. So we have suggested to you in the corrected copy is that for this year since we are this point •• we're now in February 2nd •• that the month of March be designated as the month for the open enrollment period; but that the resolution further goes onto designate the month of January in subsequent years. This is based upon a relatively recent change to state law regarding the agricultural districts program whereby the law now provides and requires that once a year farmers •• farm owners have the ability to enter one of the fourth agricultural districts in Suffolk County. Districts extend for eight years. So

if they have to miss it in the beginning, this gives them the option to get in.

The discussion of the times was discussed with the Agricultural Environmental Protection Board. And the feeling was that January would be a good month because it's not during the growing season in preparation of harvest and so forth. And I do have here with me today Roy Fedelman from County Planning Department who actually administers this program for us on more technical detail questions if the committee members may have.

### **CHAIRPERSON VILORIA • FISHER:**

Does this change only the time •• the window of opportunity or does it change any of the substantive provisions that •• or the different liberties •• I'm using the wrong word •• that a farmer enjoys by virtue of being part of an agricultural district? Does it change any of those parameters for farmers? Or does it just change the time?

#### **MR. ISLES:**

Yeah, I'm just going to ask Roy to come up to the table if the committee wouldn't mind if Roy •• it was basically ••

### **CHAIRPERSON VILORIA • FISHER:**

There was concern that •• what people read •• when some legislators read this, there was concern about some of the provisions regarding, I believe, noise and equipment, etcetera. Does this create greater opportunities for the farmer or does it free them to enjoy less fewer restrictions or is it just a time difference?

#### MR. FEDELEM:

It doesn't change any of that.

#### CHAIRPERSON VILORIA • FISHER:

Okay.

#### MR. FEDELEM:

All it changes is when they can get into the ag district.

#### **CHAIRPERSON VILORIA • FISHER:**

Okay. I wanted to have that on the record.

#### **MR. ISLES:**

But I just want to clarify •• sorry. I just want to clarify one part of that. Just so you understand with agricultural districts, they provide two primary benefits. One are incentives and the others are protections. So fundamentally there are protections given in terms of protections against condemnation or local law enforcement that may be conflicting with farm operations. Incentives would be in terms of property tax assessments. But Roy's certainly correct in terms of •• in terms of the actual agricultural program. This merely provides a door where they can enter once a year. And other than that, it's similar to regular agricultural programs.

### **CHAIRPERSON VILORIA • FISHER:**

Okay.

#### **LEG. ROMAINE:**

I want to make two comments. First comment is I support the second part of this resolution that sets January as the month. That's a good thing. The second comments is I actually called Paul Sabatino. He wasn't in but I spoke to someone in the County Exec's Office. And I alerted them to the fact the resolution is saying the month of March. Why don't you make it say the month of February even though we'll adopt them on the 7th, there's still three weeks in the month. A lot different than January 17th when we were confronted with this. And the reason I said this is because I checked with the Town Assessors and they close the tax rolls in this county for the ten towns on March 1st. So by adopting this resolution, we deny them the opportunity for the incentive.

### **CHAIRPERSON VILORIA • FISHER:**

Oh, I thought we put in March in order to let them comply with the tax assessors ••

### **LEG. ROMAINE:**

I'm going to tell you again. I checked with the Town Assessors. They close the tax rolls on March 1. I called the County Exec's Office and I said, look, I don't want to create controversy. Just want to give you a heads up so you

can change this before the committee. This is over a week ago. I know people don't think I reach out to the County Executive, but I did on this one because I wanted to see this work. And, hey ••

#### CHAIRPERSON VILORIA • FISHER:

You're the communicator.

#### **LEG. ROMAINE:**

Sometimes. I haven't gotten a call from the County Executive or his staff.

#### CHAIRPERSON VILORIA • FISHER:

I think Tom is trying to say something here.

#### **MR. ISLES:**

Right. I'm sorry. But I understand your points and appreciate your points. Just so you know with the ag district enrollment period, what the state law provides is that there's a 30 day open enrollment period. Then there's a referral to the farm protection board. Ag Protection Board. Then it comes back to the Legislature actually take those parcels that came forward and say, yes, I'd like to be in the district; for you then to review those and approve those or disapprove those as you see fit. So, there's a 30 day enrollment. There's 120 days for that period to occur. And then it goes to the Commissioner of Agricultural and Markets. And he has 30 days then to act on that. The whole process is actually six months.

### **CHAIRPERSON VILORIA • FISHER:**

But it would not have made the cut ..

## **MR. ISLES:**

No.

# **LEG. ROMAINE:**

So, there's no way that any farmer could join the program and get a tax abatement until after December 2007.

### MR. ISLES:

There is a way. Roy will explain that.

Okay. Thank you.

#### MR. FEDELEM:

Okay. The Ag Market •• the Ag and Markets Law has two provisions. One is for the ag districts. Other one is for individual commitment. A farmer can still enter individual commitment and make the deadline.

#### MR. ISLES:

Without being in a district.

#### MR. FEDELEM:

Without being in an ag district. What the ag district does is allows him to apply for that individual •• the ag assessment.

## **LEG. ROMAINE:**

Since we're considering the ••

## **CHAIRPERSON VILORIA • FISHER:**

Let him finish.

# **LEG. ROMAINE:**

I'm sorry. Are you finished?

# MR. FEDELEM:

Yes.

# **LEG. ROMAINE:**

Since we're considering this resolution, will this resolution allow farmers to have any benefits in terms of taxes prior to December 2007?

## MR. FEDELEM:

Yes. They can enter the ••

No. Under this resolution. Not as individuals. Under this resolution.

## MR. FEDELEM:

This resolution doesn't address that ag assessment. They have to apply for that separately.

#### **LEG. ROMAINE:**

I see.

#### MR. FEDELEM:

In and of itself; not necessarily through the ag district.

## **MR. ISLES:**

Well, let me just if I could emphasize, too, if I could that the protections that are afforded to farmers in my discussions with farmers is equally important as the tax incentive in terms of protection against nuisance lawsuits and in terms of zoning enforcement cases. And there's also the ability to go to the Commissioner of Ag and Markets for determinations on agricultural uses that provide protections. So, I just wanted the committee to understand that the tax incentives are certainly critical. There is this alternative approach for an individual commitment. And then the protections are extremely important to farmers. So that's something that could be made available certainly I hope before the end of the year if there were adopted before then. We ask for your consideration in the future. It would be clear it would be January if so adopted; and then it's a one shot deal by the Legislature. And we're set up at that point.

# **CHAIRPERSON VILORIA • FISHER:**

Okay.

# **LEG. ROMAINE:**

Call the question.

# **CHAIRPERSON VILORIA • FISHER:**

Do I have a motion?

Motion.

## **CHAIRPERSON VILORIA • FISHER:**

Motion to approve by Legislator Romaine, seconded by Legislator Losquadro. All in favor? Opposed? Motion's approved. (1115 approved. Vote: 6•0)

1125, authorizing acquisition under the Suffolk County Multifaceted Land Preservation Program, Land Preservation Partnership of the Sposato property, Town of Shelter Island.

#### **LEG. ROMAINE:**

Motion.

#### CHAIRPERSON VILORIA • FISHER:

I think they want to give us some information. There's a motion to approve. Is there a second?

# **LEG. LOSQUADRO:**

I'll second that.

# **CHAIRPERSON VILORIA • FISHER:**

Okay. Seconded by Legislator Losquadro. On the motion we'll look at the information.

## **MR. ISLES:**

Just if you have any question. Certainly if you're comfortable with it, that's fine.

# **LEG. LOSQUADRO:**

It's a 50/50 partnership; correct?

# **MR. ISLES:**

Yes, it is.

# **LEG. LOSQUADRO:**

Very good.

## **CHAIRPERSON VILORIA • FISHER:**

What was the rating on this?

#### **MR. ISLES:**

This rating had 41 points. There's another 28 acres that are being further considered in other planning steps resolution. Prior planning steps resolutions.

#### CHAIRPERSON VILORIA • FISHER:

Okay. All in favor? Opposed? 1125 is approved.

1127, authorizing acquisition of land under the Suffolk County Save Open Space Farmland Preservation and Hamlet Parks Fund Open Space Component, Kempinski property, Forge River Watershed Town of Brookhaven. Thank you. Tom.

## **MR. ISLES:**

This is one you've probably seen several of prior parcels on this. This is protection of the Forge River Watershed in the Mastic Shirley area. The County does •• had prior holdings in this area. This is just south of Sunrise Highway. The map before you as prepared is part of an earlier master list. And what's happening now is Real Estate has been proceeding with the acquisition process.

You will be seeing as in this case relatively small parcels like this that are part of an old file map. Some of you may be aware of the recent concerns • public concerns regarding water quality in Forge River. There's been actually active Health Department interest in this as well. So the further protection of the Forge River corridor is part of this initiative. The Division of Real Estate has proceeded with the appraisals and so forth. So this is just one part of that puzzle that's coming together.

#### **MS. FISCHER:**

Excuse me.

#### **CHAIRPERSON VILORIA • FISHER:**

Yes, Lauretta.

## **MS. FISCHER:**

Just note that it's the northern most parcel.

#### **MR. ISLES:**

Oh, the two that are flagged. Okay. Thank you, Lauretta.

## **CHAIRPERSON VILORIA • FISHER:**

That little teeny tiny one.

## **LEG. ROMAINE:**

Oh, it's a tiny parcel.

## PRESIDING OFFICER LINDSAY:

What the size of it?

## **LEG. ROMAINE:**

It says 162 acres.

# **LEG. LOSQUADRO:**

No, no, no. Point 09 acres.

# **LEG. ROMAINE:**

Oh. That's all that we're doing.

# **LEG. LOSQUADRO:**

Yes.

# MR. ISLES:

Yes.

# **LEG. ROMAINE:**

Okay. Then that answers my question because my question was as you know the state and the town is taking a look very carefully at building a

diamond enter•change on Barnes Road and Sunrise Highway. And I just wanted to make sure that this would not •• this acquisition would not interfere with those plans. But if it's a tiny parcel, it's not going to interfere.

## **CHAIRPERSON VILORIA • FISHER:**

Okay. Motion to approve. Second?

# **LEG. LOSQUADRO:**

I made the motion.

#### **CHAIRPERSON VILORIA • FISHER:**

Oh, you did. I'm sorry. I thought it was on the other end.

# **LEG. LOSQUADRO:**

I'll second it.

#### **CHAIRPERSON VILORIA • FISHER:**

So, motion by Legislator Losquadro. I'll second. On the motion, any questions? Okay. All in favor? Opposed? **1127 is approved. (Vote: 6** •**0)** 

1128, authorizing acquisition of land under the Save Open Space Farmland Preservation and Hamlet Parks fund, Open Space come, Berkowitz property, Mastic/Shirley Conservation area, Phase I.

# **LEG. ROMAINE:**

Motion to approve. Motion to approve.

# PRESIDING OFFICER LINDSAY:

Second.

# **CHAIRPERSON VILORIA • FISHER:**

Seconded by Legislator Lindsay.

# MR. ISLES:

You're going to be seeing a lot of these, too. I think we had a couple on the

CHAIRPERSON VILORIA • FISHER: Yes.

for last committee as well so.

## **MR. ISLES:**

Real Estate has been doing a great job.

#### PRESIDING OFFICER LINDSAY:

Okay. What's the size of this parcel?

LEG. LOSQUADRO.

.05.

## **LEG. D'AMARO:**

It's tiny.

# **MR. ISLES:**

It's very small.

# **LEG. LOSQUADRO:**

.05.

# MR. ISLES:

I think the acquisition cost us \$3500, though. It's pretty minimal.

# **CHAIRPERSON VILORIA • FISHER:**

Okay. All in favor? Opposed? 1128 is approved. (Vote: 6.0)

1129, authorizing acquisition under the Suffolk County Multifaceted Land Preservation Program Open Space Preservation for the Anita Kaufman Family Partnership and Joseph Heller as tenants in common property, Mud Creek, Town of Brookhaven.

# **MR. ISLES:**

Mud Creek as well. And the aerial photograph before you depicts the parcels that are owned by the County presently in the green and those that are proposed for future acquisitions which exclude the cross hatching. As you can see there are both east and west branches of Mud Creek. As this committee's aware, we've talked about the west branch in the past where it's actually the only heritage trout population in Long Island in terms of being indigenous trout not genetically mixed with stock trout. It is in remarkably pristine condition. The county's initiatives have sought to preserve this with a number of acquisitions. This would compliment that with completing the acquisition up to County Road 101.

Let me just point out there was also a corrected copy resolution filed on this to just simply clarify the acquisition as being under a watershed estuary protection purpose. And the reason for that was that it's still proposed to be preserved as open pace. For the purpose of that is that it gives the option to the County to provide any necessary enter face with the county roadway. Because since it is adjacent to a county roadway, if there's storm water run •off there •• and we believe that that may be a case •• it gives the ability then to put in structures or designs that then mitigate the pollutant loadings coming in off those runways. And then certainly this is part of the south shore estuary as it drains into the Great South Bay. But with that ••

## CHAIRPERSON VILORIA • FISHER:

Tom, what's the date of the corrected copy? I'm sorry.

#### **MR. ISLES:**

I believe •• we filed it Tuesday afternoon to the County Exec's Office. And I believe it was filed yesterday with the Clerk. So it is recent. And that was based on our conversation with Public Works and ••

# **CHAIRPERSON VILORIA • FISHER:**

So I have to look at the corrected copy to make sure that that's before us on Tuesday.

## **LEG. ROMAINE:**

Motion.

## **CHAIRPERSON VILORIA • FISHER:**

Did anyone here have the corrected copy?

#### **LEG. ROMAINE:**

No.

# **CHAIRPERSON VILORIA • FISHER:**

Okay. Motion by Legislator Romaine.

# **LEG. LOSQUADRO:**

Second.

#### **CHAIRPERSON VILORIA • FISHER:**

Second by Legislator Losquadro. All in favor? Opposed? 1129 is

approved. (Vote: 6.0)

## **MR. ISLES:**

Thank you.

## **CHAIRPERSON VILORIA • FISHER:**

Thank you. Tom, would you like to join us here? 1135. This is a very interesting resolution here. It's amending the 2006 operating budget to improve program accountability for Cornell Cooperative Extension. And I must say it seems that •• it seems that Budget Review and the Budget Office have worked with you on this. It's a very helpful document because it breaks down all of the different programs that are funded •• that the County •• Suffolk County's fund through which the Suffolk County supports Cornell Cooperative Extension. And we can see the different accounts that the monies come from.

Are there any questions for Mr. Williams? Any questions about how this was put together? Legislator Romaine.

# **LEG. ROMAINE:**

Tom, plus or minus for you guys?

#### **MR. WILLIAMS:**

This is fine. It's •• it was really prompted to help also define the 477 Water Quality funding that we got which had been all lumped together and so I think it will be helpful. Budget Review has been talking about some •• we did have this conference between Budget Review and the County Exec's Budget Office and we ••

#### **LEG. ROMAINE:**

So this will benefit Cornell Cooperative Extension, you believe, in your personal opinion?

## **MR. WILLIAMS:**

Yes. It will help, we think. Yes, I do.

## **CHAIRPERSON VILORIA • FISHER:**

Legislator Romaine, last year they were a great many discussions about how 477 account monies were being used. And because it was not very clearly earmarked in the budget, you know, which programs and what they were doing and how Cornell was using that money. That was the input •• part of the input is for this. And so now it's very clear. We can find where the money is being spent.

#### LEG. ROMAINE:

Good. As long as it's not depleting money from the account.

# **MR. WILLIAMS:**

No, it doesn't change.

#### CHAIRPERSON VILORIA • FISHER:

No. It's revenue neutral. It's just another way of presenting it but budgetarily for us to look at.

## **LEG. ROMAINE:**

Motion.

# **LEG. LOSQUADRO:**

And I would just point out I found a typo. In the IPM, integrated pest management. It says integrated past management.

# **MR. WILLIAMS:**

Yes.

#### **CHAIRPERSON VILORIA • FISHER:**

You know what, I must have missed that.

# **LEG. LOSQUADRO:**

These things just jump out to me.

#### **LEG. ROMAINE:**

Well motion any way despite the Scribner's error.

# **LEG. LOSQUADRO:**

Second.

# **CHAIRPERSON VILORIA • FISHER:**

All in favor?

# **LEG. LOSQUADRO:**

Just make sure we get that little Scribner's error ••

# **LEG. ROMAINE:**

Scribner's error.

# **LEG. LOSQUADRO:**

Yep, scribner's error.

# **CHAIRPERSON VILORIA • FISHER:**

Opposed? Legislator Stern •• oh, I'm sorry. I didn't call the vote. I'm sorry. 1135. All in favor? Opposed? Legislator Stern was caught up in the meeting that ran over. Legislator Stern, would you like to be •• your vote to be placed with the majority on the votes?

#### **LEG. STERN:**

Yes, please.

## **CHAIRPERSON VILORIA • FISHER:**

Okay. Thank you, Tom.

**1137 (to appoint member of the County Planning Commission Adrienne Esposito)**, at the request of the sponsor, the County Executive's Office, there's a request to table.

#### **LEG. ROMAINE:**

Motion.

# **LEG. VILORIA • FISHER:**

Seconded by Legislator •• by Legislator Romaine. I'll second the motion. All in favor? Opposed? 1147 is tabled. (Vote: 6•0)

Jim? Mr. Bagg. Okay. Jim.

# **CEQ RESOLUTIONS**

## **CHAIRPERSON VILORIA • FISHER:**

CEQ resolutions 1.06. First one. Proposed SEQRA classifications of legislative resolutions laid on the table on January 3rd and January 17th.

# **LEG. LOSQUADRO:**

Pro forma. I'll make the motion.

# **CHAIRPERSON VILORIA • FISHER:**

Yes, but you have to read it. Okay. Motion by Legislator Losquadro to approve and place on the consent calendar, seconded by the Chair. All in favor? Opposed? (Vote:  $6 \cdot 0$ )

# Number 2.06, proposed Marine Travel hoist, Town of Brookhaven. It's a Type II action.

# MR. BAGG:

Yes. This is a project that would provide funding to replace an aging 25 •year old travel hoist with a 35 ton \\_Acme Hoist\\_ at the Marine Hoist. Council recommends it's a Type II Action pursuant to 617.5 (c), (1), (2) and (25). It's basically equipment replacement. Okay.

#### CHAIRPERSON VILORIA • FISHER:

Okay. Just replacing the equipment. Same motion. Legislator Losquadro. Same second, same vote. **(Vote: 6 \cdot 0)** 

03 • 06, proposed acquisition of land for open space preservation purposes known as the Sposato property in the Town of Shelter Island.

# **LEG. ROMAINE:**

Motion.

# **LEG. LOSQUADRO:**

Second.

## MR. BAGG:

I might note that you passed a resolution that has the SEQRA negative declaration in it. So this is not necessary to do a separate resolution.

# **CHAIRPERSON VILORIA • FISHER:**

Okay.

# **LEG. D'AMARO:**

Is this duplicate or identical?

# **LEG. ROMAINE:**

We do a lot of identical things.

#### **CHAIRPERSON VILORIA • FISHER:**

We like to do mirror images.

# **LEG. ROMAINE:**

Do it twice.

#### **CHAIRPERSON VILORIA • FISHER:**

Belt and suspenders. Okay. (Approved. Vote: 6.0)

Okay. 4.06, proposed acquisition of land for open space. And that's the Noyack Greenbelt, Schwabe property, Town of Southampton.

#### MR. BAGG:

This project involves the acquisition of 14 acres of land by Suffolk County for open space preservation purposes. Council recommends it's an unlisted action that will not impact on the environment because it's preservation purpose basically.

#### **CHAIRPERSON VILORIA • FISHER:**

Okay. Motion to approve and place on the consent calendar by Legislator Losquadro, seconded by the Chair. **(Vote: 6•0)** 

The next one we also just voted on that.

## MR. BAGG:

That's correct.

#### CHAIRPERSON VILORIA • FISHER:

All right. That was number  $\mathbf{5} \cdot \mathbf{06}$  which was the Berkowitz property that we voted on. **(Vote:**  $\mathbf{6} \cdot \mathbf{0}$ )

Number **6 • 06** we also voted on. That's the Kaufman/Heller property. **(Vote: 6 • 0)** 

Number **7 • 06**, Kempinski property. Didn't we vote on that last time?

Yes. Forge River.

#### **CHAIRPERSON VILORIA • FISHER:**

Oh, that's the Forge River.

#### MR. BAGG:

Those three you just voted on. **(Vote: 6.0)** 

## **CHAIRPERSON VILORIA • FISHER:**

Okay.

And 8.06, acquisition of land for open space (preservation purposes known as the Forge River County Park addition, McLoughlin property in the Town of Brookhaven) That's the Forge River. That was another piece?

# **LEG. LOSQUADRO:**

This is the McLoughlin property.

#### **CHAIRPERSON VILORIA • FISHER:**

This is the McLoughlin property.

# **LEG. ROMAINE:**

I don't know if we voted on that property.

## MR. BAGG:

I don't believe you did on that one. This project involves the acquisition of point 128 acres of land by Suffolk County for open space preservation purposes. Council recommends it's an unlisted action that will not have an impact on the environment, does not exceed any of the criteria. The property adds to the county park property in the area and the property will be dedicated to Suffolk County Parks for passive recreational purposes.

# **CHAIRPERSON VILORIA • FISHER:**

Okay. Motion by Legislator Losquadro to approve and place on the consent

calendar, seconded by Legislator Stern. All in favor? Opposed? **Motion is** approved and placed on the consent calendar. (Vote: 6 • 0)

Number 9.06, proposed acquisition of land for open space preservation purposes known as the Sanford Pines property in the Town of Islip. Pardon me? I'm sorry.

#### MS. SUHR:

Legislator Lindsay asked to have it tabled.

## **CHAIRPERSON VILORIA • FISHER:**

Right. But this is the CEQ so we can approve this. Thank you. We can approve the recommendation, but we tabled the resolution.

## MR. BAGG:

Right, right.

## **CHAIRPERSON VILORIA • FISHER:**

We tabled this resolution.

## MR. BAGG:

Yes. This project involves the acquisition of point four acres of land by Suffolk County for open space preservation purpose. Council recommends it's an unlisted action that will not have an impact on the environment because none of the criteria will be exceeded and the property will be dedicate to the Suffolk County Park recreational passive recreational purposes.

Council went a little further on this in reviewing the property. And they also had another resolve. The members of the Council advise that because Sandford Pine properties does not have significant environmental tributes and is not adjacent to existing county parkland, more environmentally sensitive lands should be of a higher priority when considering purchase of open space. That was just their recommendation.

#### **CHAIRPERSON VILORIA • FISHER:**

And there was an abstention on that vote because he felt that it was •• if I recall. He voted no or he abstained?

## MR. BAGG:

He abstained.

## **CHAIRPERSON VILORIA • FISHER:**

Because of those reasons. There was a lot of discussion at CEQ about this parcel. Motion to approve and place on the consent calendar by Legislator Losquadro, seconded by Legislator Romaine. All in favor? Opposed?

Motion is approved and placed on the consent calendar. (Vote: 6 •0)

If we haven't covered everything that we possibly could cover, anybody has anything to say, speak now. We stand adjourned. Thank you very much for your patience in this tight room but at least we're not here 'til 6:00.

(THE MEETING CONCLUDED AT 4:31 PM)
\\_ \\_ DENOTES SPELLED PHONETICALLY